THE JEWISH VIEW OF HOMOSEXUALITY

Barry Dov Schwartz

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The Jewish View of Homosexuality

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CHAPTER I

This paper will trace the Jewish view of homosexuality historically and legally. Although the specific injunctions regarding homosexuality are to be found in the Book of Leviticus,[1] we can begin our excursion on this topic by studying a few episodic narratives in the Book of Genesis, as elucidated in the Talmud.

Upon disembarking from the Ark, Noah's three sons are involved in some strange activities with their inebraited father. Genesis 9:22 indicates that Ham saw his father's nakedness and rushed to tell his brothers, Shem and Japheth, who immediately proceeded to cover the nakedness making certain not to even glance at this embarrassment. When awakening in a sober state, Noah realizes what Ham did and in Genesis 9:25 pronounces a curse on Ham's son, Canaan, while at the same time blessing Shem and Japheth.

The questions which arise are:

1. What did Ham actually do to his intoxicated father?
2. Why the curse on Canaan and not on Ham himself?

Genesis 9:24 suggests that something was actually "done" (asah lo) to Noah as to warrant a punishment. Ham's guilt was not only that of seeing and being a witness, but of being personally involved in some definitive illicit act. As to the exact nature of this sin, two opinions are cited in Sanhedrin 70 a. Rav says that Ham castrated his father, thus

[1]Leviticus 18:22; 20:13. See also 18:7; 18:14.

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preventing him from having more children. This explains Noah's curse on Canaan, Ham's fourth son. It was an indirect punishment on Ham himself who precluded Noah from having a fourth son. (The Christian view suggested in the Book of Adam is that Noah did indeed beget several more sons following this incident.)[2] Shmuel claims that Ham sexually abused his father and acts of homosexuality were committed. The talmudic conclusion is that actually both indignities were perpetrated. Ham both castrated and sodomized his father.

The Torah Temmimah ad locum is of the opinion that the term reiyah (seeing) is a prelude to an act of sinning such as in the episode of Shchem.[3] He deduces that "The use of the word reiyah is connected to matters of sexual licentiousness" and as proof cites the talmudic dictum of Rabbah: "The evil impulse only bears sway over what a person's eyes see."[4] The Midrash also states: "Better it were for the wicked to be blind, for their eyes bring evil upon the the world."[5]

Samson Raphael Hirsch further correlates reiyah with illicit sexual practices. His text-proof is Gen. 42:9: "... to spy out the nakedness of the land ..." Hirsch makes a connection between Lirot and Ervat. Both words, he concludes, are used as expressions "of general weakness, a weak failing, a shameful condition."[6]

According to Nachmonides, the sin committed was that Ham saw the nakedness of his father and did not act respectfully.

[2] Louis Ginzberg, Legends of the Jews (Philadelphia, Pa: Jewish Publication Society, 1947), Vol.5, p.191

[3] Genesis 34:2.

[4] Sotah 8 a.

[5] Numbers Rabah 20.

[6] The Pentateuch translated explained by Samson Raphael Hirsch, Vol. 1, Gen. 9:22, 23.

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He should have covered his nakedness and not have told even his Brothers. But Ham told them about the incident in the presence of many people in order to deride Noah ("lihalig lefonov"). Noah's embarrassment was that the disgrace was known to many.[7] Onkelas is of the same opinion as he translates "outside" as "in the market place."[8]

One observation may here be in order. Whatever the exact nature of the sin inflicted upon Noah, one thing is stated categorically: it happened while Noah was drunk. The immorality (castration or homosexuality) was accomplished while one of the partners was under the influence of alcohol. It is impossible to believe that Noah slept through either procedure. He was a passive partner weakened morally by drunkenness.[9] If homosexuality did take place, it was (a) not due to any sexual dysfunction or abnormalities; (b) it was engaged in by men who were normally and nominally heterosexual; (c) it was an act of folly not punished by death. Further on in this paper, the implication of these items will become more clear.

One may suggest, although not conclusively, that on the basis of some rabbinic commentaries and linguistic analyses that Noah and Ham were involved in a specific illicit sexual relationship, namely, sodomy.

[7] Perush Haramban Al Hatorah, (Jerusalm: Masad Horav Kook), Vol. 1, p. 65. See also English translation by Charles B. Chavel, (Shiloh Publishing House, 1971), Vol.1, p. 140.

[8] Targum Onkelas, Gen. 9:22 See also Rashi and Torah Shlema ad locum.

[9] See Genesis Rabah, 36; Lev. Rabah, 12; Midrash Hagadol, 9:21.

Noah's punishment is not mentioned, but Ham's is very clear: he is to be an eved, a slave , or perhaps (homiletically) to remain a slave since he evidenced such weakness already, as being a slave to his passions - even without regard to his father's honor.[10]

There are many similarities between the story of Noah and the story of Sodom (Gen. 19):

(1) It remains a mystery - perhaps deliberately so - as to what exactly transpired between the men of Sodom and the guests (angels) at the home of Lot. This is parallel to the vagueness of the Noah - Ham episode.

(2) Whereas language of reiyah (seeing) is used in the Noah story, the sinners of Sodom are punished by the lack of reiyah, namely, blindness. Blindness was commonly regarded in antiquity as the punishment for sacrilegious impiety or gross misconduct.[11] This word blindness occurs again only in 2 Kings 6:18 and denotes a temporary loss of sight.

(3) The same verb yada is employed in both episodes to connote carnal knowledge.

In rabbinic literature, Sodom, generally, was synoymous with inhospitality, niggardliness, heartlessness, oppression of the poor.[12] Every prophetic reference to Sodom includes a litany of sins -

[10] See Hirsch, 9:25: "They are slaves of their own sensuality, and they sink lower and lower to finally become 'slaves of slaves'". Also note proximity of verses in Deuteronomy 23:16 and 17.

[11] Theodore H. Gaster, Myth, Legend and Custom In the Old Testament, (N.Y., N.Y.: Harper & Row, 1969), p. 158.

[12] Ketuvot 103a; Avot 5:10; Pirke Drabbi Eliezer 29a. See also Ginzberg, Legends, Vol. 5, p. 248.

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none of which refer to sexual licentiousness. The Talmud enumerates the sins of the people of Sodom: envious of wealthy men, mean to orphans, thieves, murderers, perverters of justice. "Men of Sodom have no place in the world to come."[13]

In a later chapter we shall discuss the significance of the Sodom story in realtionship to Christian theology Suffice it to say here that the preponderance of rabbinic commentaries deem it quite plausible that sodomy did take place in Sodom even though a clear bibilical reference to it is absent. To be sure, homosexuality was not the only sin of the Sodomites and perhaps not even the most sordid - but it was one in a long list of crimes of moral turpitude.

In the Midrash, Rabbi Joshua ben Levi, quoting Rabbi Padah, commented on v. 5: "That whole night Lot prayed for mercy on their behalf. The angels would have heeded him, but when the Sodomites demanded: 'Bring them out to us that we may know them' - <u>for sexual abuse</u> - the angels said to him: "Have you yet a mouth (to plead for them)'?" (By a play on words <u>poh</u> of v. 12 is read peh, mouth.)[14]

The <u>Midrash Hagadol</u> of the 14th Century states on Gen. 19:5 that "Scriptures informs us that they were steeped in incest, pederasty and bestiality," much the same as the men of Gibeah.[15]

Some of the commentaries do not associate <u>yada</u> here with carnal knowledge. Nachmanides ad locum points out that the spectacle

[13] Sanhedrin 109 a & b.

[14] <u>Genesis Rabah</u>, 50.5. See also Kasher, Vol. 3, Gen. 19:5 for various citations equating the sin of Sodom with sexual immorality.

[15] Judges 19.

visitors was so unusual in Sodom, that the inhabitants thronged to see them and "know them" and keep them away so they might retain the entire wealth of the place for themselves.

Christian writers especially assert that Sodom's sin was understood as homosexual rape only by later interpretations. Derrick Sherwin Bailey points out that the biblical term yada connotes sexual relations only 10 times as compared to real knowledge over 900 times in the Bible. Even the 10 connotaions of sexual relations are all of the heterosexual variety. Had the biblical authors intended homosexual references, the term shachav would have been more appropriate.[16] On the other hand, Josephus insists that yada was homosexual rape: "They hated strangers and abused themselves with sodomitical practices, ...they resovled themselves to enjoy these beautiful boys by force and violence.[17] Philo also wrote they were "men who lusted after one another."[18] It's interesting, however, that Josephus does not depict the incident in judges as an attempt at homosexual rape but rather as an attempt at heterosexual rape that is carried to a "successful" conclusion. "When they no way abated of their earnestness for the strange woman, but insisted absolutely on their desires to have her... they proceeded to take her away by force."[19]

The Torah Shlema on 19:8 brings a Midrash from sechel tov

16 Derrick Sherwin Bailey, Homosexuality and the Western Christian Tradition, (N.Y., N.Y.: Harper & Bros., 1955). See also W.G. Cole Sex and Love in the Bible, (N.Y., N.Y.: 1959), p. 344.

17 Josephus, Antiquities of the Jews, ch. 11, para. 1-3, Vol. 1, (ed. Niese).

18 Philo, "De Abrahamo," in The Essential Philo 110 (N. Glatzer ed. 1971).

19 Josephus, Anitquities of the Jews, ch. 2, para. 8, Vol. 5.

which seems difficult to understand: "Lot actually implores them: 'Let me bring them out to you that you may make free with them.'... evenhad they been given in marriage, but the marriage was not consummated, and they would count as unmarried and intimacy be permitted." Of course, thsi contradicts teh biblical injunction of Deuteronomy 22:23-27. Moreover, even Torah Shlema, in a note ad locum, quotes Rabbi Hananel in Drashot Ibn Schaib with the opposing view: "Heaven forbid that he be offered his daughters: rather it is like one says: 'My house is open - take whatever you wish.' Or as one throws himself upon his ttacker and cries out, 'Kill me!', knowing that they will not."

The total destruction of the land of Sodom as well as its population points to an interesting correlation between sexual immorality and the condition of the earth.

It is an ancient theory that the fertility of women is intrinsically bound up with the fertility of the earth. Any factor which might impede the normal flow of fertility, reproduction and growth among mankind, has a negative effect on nature paralleling it with barrenness, famine, drought. In other words, morality and nature have a linkage: "what nature abhors, the law prohibits."[20] As long as Jews obeyed the laws of morality, Israel's land and people flourished and grew. On the other hand, adultery, as well as any other immorality mentioned in the Bible lead to sterility of the earth and even worse calamities. Normal, healthy relations and unions cause

20 Louis M. Epstein, Sex Laws and Customs in Judaism, (N.Y., N.Y.: Ktav Publishing House, 1948), p. 132.

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proper rainfall and change of seasons; illicit relationships cause the plagues, storms, floods, famine. In fact, there are numerous Midrashim to this effect. The flood, for example, was caused by illicit sexual relations such as pederasty and intercourse with animals.[21] Fornication was regarded as the cause of the destruction of Sodom and Gomorra,[22] and, according to Rabbi Simlai, it inevitably brings in its train great calamities in which the good and the wicked perish alike.[23] Homosexuality, likewise, was against the laws of nature and therefore forbidden by penalty of national disasters such as the flood, the destruction of Sodom, and the "vomiting of the land" as mentioned in Leviticus in context with sexual violations.

Commenting on this verse, Leviticus 18:25, Nachmanides in his commentary ad locum asserts: "Scripture was very strict in forbidding these sexual relationships on account of the land which becomes defiled by them, and which in turn will vomit out the people that do these abominations... Thus the Land which is the inheritance of the Glorious Name, will vomit out all those who defile it and will not tolerate worshippers of idols, nor those who practice immorality."

This idea is further developed by Raphael Patai.[24] He traces the ancient belief that sexual activities influenced the course of nature and that the fertility of women was bound up with the fertility of the earth; a ritual connection existed between the union of human

[21] Lev. Rabah 23:9; Gen. Rabah 32:7; 28:9.

[22] Lev. Rabah 23:9; Num. Rabah 9:33.

[23] Gen. Rabah 26:5.

[24] Raphael Patai, Man And Temple In Ancient Jewish Myth and Ritual, (N.Y. & London: Thomas Nelson and Sons Ltd., 1947), p. 70.

sexes and the productivity of the ground. Quoting Barton:

> In countries like Babylonia and Egypt, where fertility depended upon the rise of the rivers, or like Palestine, where it depended on the rainfall, the flow of fertilizing waters was ... thought of as the result of a divine sexual act - the martial union of a god and a goddess. In that stage of thought it would be equally natural that they should think that their deities would be encouraged to such a union by human examples. It is probable that at the religious feasts it was the custom to indulge freely in such acts of union in order to encourage the deities to do likewise, that the fertilizing waters might flow, the earth be fertil-; ized and fruits produced for the sustenance of mankind.[25]

Patai's thesis clear: A disturbance in society causes a disturbance in nature. Adultery, pederasty, in fact, any sexual immorality uproot the crops and cause famine, floods and other catastrophies as in the case of Sodom and Gomorra.

Moreover, the sin and its consequent punishment has many sides in common. Patai[26] brings to light the following citations:

> Rabbi Yase ben Durmasqith said: They (the generation of the deluge) sinned with their eyes which are like unto water (by looking at strange women and inviting them to immorality), even so the Holy One blessed be He did not punish them but with water. Rabbi Levi said: They spoiled their seed (by having adulterous and unnatural connections), even so the Holy One blessed be He upset unto them the order of the world.[27]

Rab Hisda said: "They sinned with a hot thing (namely, the heat of fornication), and with a hot thing were they punished," namely, as Rabbi Johanan put it, "every drop of water that the Holy One blessed

25 Barton, Semitic and Hamitic Origins, p. 160, cf. also p. 112.

26 Patai, Man And Temple In Ancient Jewish Myth and Ritual, p. 140-146.

27 Gen. Rabah 32:7; cf. Sanhedrin 108 a.

be He let fall on them, He boiled in hell, then brought it up and let if fall upon them." So it happened that the hot waters of the Deep "scalded their flesh and flayed them ..." Moreover, "the waters of deluge were thick like the male semen." [28]

It may be noted that the punishment of salt in the episode of Lot's wife reinforces the hypotheses that acts of sodomy had a barrenning effect on the population. Salt in ancient times was believed to make the land barren and sterile. To be sure, it remains conjecture why Lot's wife was chosen to turn into a pillar of salt. Nowhere is misconduct on her part mentioned and yet perhaps she was chosen as a symbol of the immorality of that time and place.[29]

Above we noted some similarities between the stories of Noah/Ham and Sodom/Gomorra. Now we can add to this list the interconnection between sexual probiety and productivity of the land which is part of both episodes.

Moreover, if one concludes (as we did with reference to Noah) that homosexuality was engaged in these two cities, here again it is clear that the perpetratons were men who were normally and nomically heterosexual and not exclusively homosexuals (even though homosexuality was common); such acts were the results of moral depravity and not due to any sexual abnormalities; and finally, homosexuality is not the cause - the sole cause - of the destruction of these cities, and thus those involved in acts of sodomy were not punished by death solely

[28] Sanhedrin 108b; cf. Rosh Hashanah 12a; Zebahim 113b.

[29] This suggestion is mainly a Christian one. See McKenzie; Dictionary of the Bible, Pelombet's Biblical Dictionary and Dictionary of Biblical Theology.

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because of homosexuality. The only clear condemnation is for their inhospitality and maltreatment of guests (including rape of males and females).[30]

In a later chapter we will further analyze the implications of the above assertions.

In concluding this first chapter, I draw attention to the Joseph story. Commenting on Gen. 39:1, the Talmud[31] states: "And Potiphar, an officer of Pharaoh bought him": Rab said: He bought him for himself. Undoubtedly, Potiphar was inflamed by Joseph's beauty, but Gabriel came and castrated him (Hebrew word for "officer" also means eunuch) - for originally his name is written Potiphar, but afterward (Gen. 41:45) - Potiphera (pera - mutilated). Rashi on 41:45 also makes mention that Potiphar had homosexual desires for Joseph.

It is not totally impossibe that Joseph was himself a homosexual, and certainly effeminate. Furtermore, the ketonet pasim, his multi-colored annamented tunic was - as we learn from 2 Samuel 13:18 - an effeminate garment. In reference to Tamar, Avshalom's sister describes her garment of many colors: "for with such robes were the king's daughters that were virgins appareled." Joseph, it should be remembered, was loved by Jacob because he reminded him of

[30] See Raphael Patai in Family, Love & the Bible, (London: Macgibbon & Kee, 1960), p. 153 where he concludes that the mob in Sodom and in Gibeah (Judges 19:22-25) was addicted to homosexuality and " "there is no reason to suppose that the mores of these two localities were greatly different from those of the other Canaanite and Israelite towns and villages ..." And never is there "a word of concemnation for homosexuality per se."

[31] Sotah 13b.

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his favorite wife, Rachel, the love of his youth (cf. 44:30). Joseph's appearance is indeed described in the same words as was his mother's: yfat toar v'yfat march.[32] The Rabbis, too, picture him as something of a 'pretty boy', making up his eyes and fixing his hair. Rashi on 37:2 minces no words when saying that Joseph was a lad who frequently engaged in effeminate activities such as "fixing his hair and touching up his eyes so that he would appear beautiful."

Much is also left to the imagination the kind of sexual activities he may have engaged in while in prison among those notarious for practicing sexual abberrations. One wonders if a homosexual inclination had anything to do with his extraordinary strong will power in rejecting the advances of the queen and stoically refusing a heterosexual relationship. (This comment is speculative and is not meant for drawing any conclusions. But again, whatever the sexual preferences of Joseph may have been, he certainly was not a homosexual exclusively and upon release from the prison environment which might have encouraged homosexuality, he lived a "normal" life of hetero-sexuality and raising a family.) Moreover, Patai speculates that the reference to David and Jonathan could also be homosexual one.[33] The love between the two men is described in exactly the same terms a and phrases as used in connection with the love of man between woman: 1 Samuel 18:1, 19:1; 2 Samuel 1:26.

[32] Gen. 39:6; cf. 29:17.

[33] Patai, Family, Love & the Bible, p. 153.

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Let it be made clear that such thoughts do not even enter into the minds of our traditional commentators. David and Jonathan had a beautiful human relationship, homophilic but not homosexual. Moreover, Joseph is described as a tzadik able to control his sexual urges:

"Let our Master teach us: Who is the most trustworthy? An unmarried man who lives in a town in a neighborhood of harlots, and yet does not sin. No man can be more trustworthy than he. So none was more trustworthy than Joseph; living among Egyptians, of whom it is written, Their flesh is as the flesh of asses (Ezek. 23:20), seventeen years of age, he was nevertheless above suspicion of immorality. (Gen. R. 87, 2-4, 55, 3; Y'lamdenu in Yalkut Talmud Torah; Tan. Vayyesheb 5.6.)

Furthermore, the Malbin on 39.8 tells us that the verb meen means to refuse to do even what one inwardly desires. The other Hebrew expression for refusing, lo avah, denotes lack of any desire. Alas, Joseph did possess normal sexual passions, but subdued them.[34]

Our survey of Genesis and other biblical references highlight that nowhere is there a clear reference to acts of homosexuality definitely taking place. We can assume they did with Noah and in

[34] It should be noted that the Rabbis possessed an ingenious method of producing a background for whatever point they wanted to emphasize. To highlight the wickedness of Sodom, they claimed that every type of immorality permeated the city. But when Reuven had sexual intercourse with Bilhah, his father's concubine, the Rabbis are quick to explain that adultery did not really take place: "Whoever says Reuven sinned is mistaken" (Shabbat 55b). Likewise in 1 Kings 11: 4-10 the Bible makes it clear that aging Solomon became an idol worshipper. Again the Talmud (Shabbat 56b) says no and contradicts, as it were, the scriptural data.

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Sodom and we may speculate about Joseph, David and Jonathan. Only when we study Leviticus do we have categorical verses condemning male homosexuality.

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CHAPTER II

The direct biblical prohibition of homosexuality is found twice in the Book of Leviticus. In Leviticus 18:22 it is written: "You shall not lie with a man as with a woman, it is an abomination (toevah)." In Leviticus 20:13 it further states "And if a man lie with a man as with a woman, both have done an abomination (toevah); they surely be put to death, their blood is upon them." There exists two other references to a homosexual union. Lev. 18:7 speaks of a man lying carnally with his father and is liable to two penalties (one for lying with any male, the other for his father).[1] The second reference is to Lev. 18:14 whereby a man is forbidden to lie carnally with his father's brother.

These Levitical verses cannot be studied without immediately citing one further reference. Deuteronomy 23:18: "There shall not be a kadish from the daughters of Israel and there shall be no kadesha of the sons of Israel." Kadesha or kadesh is most frequently translated as "sodomite", female or male. Rashi ad locum comments that the kadesha is one who is devoted and always prepared for illicit intercourse and the kadesh is one who is always prepared for pederasty. Thus it would appear that we have here an additional verse stressing that homosexuality is abominable, punishable, and unfitting behavior for "the sons of Israel". In fact, the Rambam states this clearly: "This negative commandment is repeated in order to give it added force (nichpal lchizuk lav)[2], and we need not seek to learn anything

[1] In Sanhedrin 54a, Rav Judah ascribes this sin to 'heathens', but the sages realize that he was using a euphemism for a Jew (who should be - but not always is - above being involved in such immoral activities).

[2] Moses Maimonides, Sefer Haimztvot l'Harambam, Hebrew edition Rabbi Jacob Moshe Shurkin, (N.Y., 1955). English edition Maimonides: The Commandments, translated by Charles Chavel, (London, N.Y.: Soncino Press, 1967). See negative commandment #350.

additional from this verse other than the reinforcement of Lev. 18:22. It is Onkelos who in his translation ad locum suggests that the Deutoronomic reference is the prohibition of a Jew from marrying a Caanite servant and has nothing to do with any type of sodomy.[3]

There is a discussion in the Talmud with reference to responsibility and culpability.[4] Rabbi Ishmael regards the law in Deuteronomy as the prohibition directed to the victim (azhara lanishkav). Consequently "He who actively commits pederasty, and also permits himself to be thus abused is liable to two penalties" (for violation of Lev. 18:22 and Deut. 23:18). Rabbi Akibah disputes Rabbi Ishmael by deducing the guilt of both parties concerned, from the very language of the one verse because lo tishkav can also be read: lo tishachev; hence, whether one actively commits pederasty or passively permits himself to be thus abused, is liable to but one penalty ("Thoushalt not lie", and, "Thousshalt not be lain with" are a single injuction). Rabbi Akibah also feels that the kadesh law in Deut. is merely to add force to the Levitical commandment.

Nachmanides makes some interesting observations about the verses prohibiting homosexuality. Now the reason for the prohibitions against lying carnally with a male, or an animal, is well-known, as it is an abominable act and is not for the preservation of the human

[3] See also Sefer Hachinuch, Rabbi Ahron Halevi, (Eshkol, Jerusalem) commandment #209, p. 118-120.

[4] Sanhedrin 54b.

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species, because the copulation of male and male or of man and animal will not beget offspring.[5] As to the verse in Deuteronomy 23:18, the Ramban makes the suggestion that it refers to a prohibition directed to courts against allowing the existence of houses of ill-fame:

> It appears to me concerning this prohibition that it constitutes an admonition addressed to the members of the court that they should not permit one of the daughters of Israel to sit in public view at the crossroads for the purpose of illicit intercourse, or prepare herself a tent of prostitution as is customary in foreign lands where they sit at the door with timbrels and harps, similar to what is written, (1/2 Isaiah 23:16). And similarly Scripture warns the court concerning a kadesh. And in line with the plain meaning of Scripture, even if he should lie with women in a tent which he prepared himself for such illicit relations or that he should sit in public view at the crossroads (on the lookout for such women), he warned the court (against permitting such activities).[6]

With reference to age, we find that both the active and passive partners of a homosexual liason are culpable and are stoned - if they have reached their years of majority (gedolim). But if either one is under the age of nine years and one day, both are exempt from the Torah, but the older one receives lashes (makat mordut) according to Rabbinic legislation.[7] And if one of the partners

[5] Perushei Hatorah - Ramban, Hebrew edition (Jerusalem: Mosad Horav Kook, 1962). English edition Ramban Commentary on the Torah, translated and annotated by Charles B. Chavel, (N.Y., N.Y.: Shiloh Publishing House, 1974). Leviticus 18:22.

[6] Ramban ad locum points out that the terms kadesh and kadesha are an expression of readiness. Thus, the woman who guards herself from forbidden relations and lewdness is called k'doshah (holy), while she who separates herself from holiness and becomes defiled with illicit sexual relations is called k'deshah. This name (k'desha) applies to her only because she is always ready for this abomination, for she has no moment for propriety and holiness at all.

[7] Maimonides, Mishna Torah - Yad Chazokah, (Vilna edition, 1900), Hilchot Issurei Biah 1:14. Note Sanhedrin 54b, where it is suggested that since a female is adjudged capable of intercourse from the age of 3 years old, the same should apply to a male.

was between the age of 9 and a day and under 13 and a day, the older is stoned (whether he was the active or the passive), and the younger one is avsolved from the Torah, but receives lashes midrabanan (umakin oto midrabanan).[8] Moreover, the Talmud elaborates that if the sexual acitvity was with an adrogynos (hermaphrodite), one is liable only if he had intercourse with the male side; but if he indulged with the hermaphrodite's feminity, then he is excused midiorayto, and receives lashes midrabanan.[9]

The punishment of stoning is warranted only if there were witnesses to the act.[10] This punishment is derived from a similarity of phrases used in Leviticus 20:13 and 20:27: "their blood shall be upon them."[11] Moreover, if one has accidental homosexual realtions with his father or paternal uncle he must offer tow atonement sacrifices.[12] And if one partner is asleep and the other awake or if one is forced by a second, the former is guiltless and the latter is punished.[13] The act need not be a complete one. As long as there was the slightest penetration, the act is considered punishable. Maimonides[14] comments:

[8] This latter view is studied in Sefer Hachinuch commandment #209 but differs from every existing view where there is never punishment for anyone under the legal age of maturity.

[9] Avodah Zarah 15b. See also Yevamot 83b. See also Maimonides Issurei Biah 115 and his Commentary on Mishnah, Sanhedrin, Chapter 7, Mishnah 4.

[10] Issurei Biah 14.

[11] Sanhedrin 54a; Keritot 5a.

[12] Sanhedrin 54a.

[13] Maimonides, Hilchot Issurei Biah 1:18

[14] Maimonides, Commentary on Mishnah, Sanhedrin, Chapter 7, Mishnah 4. See also Issurei Biah 110.

> An initiator is one who inserts the entire glans penis, whereas a consummator is one who inserts the entire penis. The insertion of only part of the glans is equivalent to one who has carnal contact of sexual organs (without actual penetration). The emission of semen has no relationship at all to the matter of the punishment. Therefore, as soon as he inserts his organ, he incurs the punishment, even if he withdrew immediately ... And if a man had sexual intercourse with any one of the forbidden unions without having an erection, he does not incur punishment, even if he emitted semen, because there is difference of opinion on this question, and the Talmud does not provide the final ruling; and one does not inflict punishment save in a matter which is clear, and about which there is no doubt. However, such an act is (still strictly) forbidden and this is what the Sages have called having intercourse with a dead organ,[15] meaning his organ is flaccid like a corpse. However, everyone agrees that he who has sexual intercourse with a deceased forbidden relative does not incur any punishment at all,[16] and this is called an act of Herod.

If no witnesses, and no hatraah (warning) he is liable to extinction (karet) if the sin was willful[17]; if it was committed unintentionally, he must offer a fixed sin offering. This is what is needed: two or more qualified witnesses who warned the transgressor immediately before the commission of the offense and whose evidence is given before a qualified court of 23 judges and this applies only at a time when capital punishment is in effect.[18]

[15] Sanhedrin 55a; Yebamoth 95b; Shebuoth 18a.

[16] Yebamoth 55b.

[17] Keritot 2a.

[18] Maimonides, Negative Commandments, #352. See also Yerushalmi Sanhedrin, Gilad Press, Chapter 6, Halacha 3: Rabbi Yodeh ben Pazzi went on the roof of the beth hamiderash and noticed two men conjugating with one another. They threatened him and said "Be silent about this. for after all, you are one, we are two."

The law against homosexuality is applicable at all times and for all peoples.[19] It is never outdated and gentiles are not excused because it is one of the 7 Noahide Laws, six of which deal with arayot.[20]

Heathens, perhaps because they are suspected of homosexuality, are to be punished more severely for this crime than Jews who are not suspected of such action. The prohibition of homosexuality for heathens is derived from Genesis 2:24: "Therefore shall a man leave his father and his mother and he shall cleave to his wife and they shall be as one flesh." The derivation from this verse presents an excellent example of the analytical methods of the rabbis. "Leave his father," this excludes his father's wife, "his mother" literally, "and he shall cleave" but not to a male since only the opposite sexes can cleave to each other, "to his wife" but not to his neighbor's wife, "and they shall be as one flesh" this excludes relations with animals who cannot become one flesh with man.[21] This prohibition also includes a heathen slave who is executed for homosexuality.[22] A heathen is excuted for homosexual relations with a child as well as with an adult.[23] A gentile who commits a homosexual act intentionally is executed by the sword

[19] Sanhedrin 58a; Maimonides, Hilchot Melachim 9:5,6.

[20] Ibid. See also Sefer Hachinuch #209.

[21] Sanhedrin 58a.

[22] Hilchot Issurei Biah 14:18

[23] Hilchot Melachim 9:6

although one sage insisted that the execution was by strangulation. This punishment applies even if there was no previous warning by witnesses. The testimony of one witness as to the commission of the crime is sufficient as is one-judged court. Either can be a relative but not a woman who is disqualified from being either witness or judge.[24] A gentile is allowed to incriminate himself and is judged on his confession.[25] Accidental homosexuality is not punished, but if done intentionally, yet in ignorance of the law, the heathen offender is nevertheless executed.[26] He is not considered guilty until the court decides to that effect.[27] If he was forced to commit a homosexual act he is innocent.[28] In addition, a minor, deaf person, or an imbecile is not punished because they are not considered legally responsible for their actions.

It would be well to point out here that the Rabbis find the grammar of Leviticus 18:22 interesting in that mishkevei ishah is plural. The majority of Talmudic references on this issue[29] indicate that the plural comes to teach that there are two ways of participating in heterosexual intercourse:

[24] Hilchot Melachim 9:14.

[25] Sefer Ha-Chinnuch comm. 192. The Sefer Ha-Chinnuch was written in the 13th century, possibly by Rabbi Aaron Ha-Levi of Barcelona. On the authorship of Sefer Ha-Chinnuch, see G. Appel, A Philosophy of Mizvot: The Religious-Ethical Concepts of Judaism, Their Roots In Biblical Law and Oral Tradition, 191-93 (1975).

[26] Hilchot Melachim 10:1

[27] Rashi on Yavamoth 47b, quoted in Mellier, Rape and Other Sexual Offences in the Hebrew Law and in the English Law 94, 1960 (unpublished dissertation in Hebrew Univ. Library).

[28] Hilchot Melachim 10:2

[29] Gittin 85a; Sota 26b; Kidushin 22 a&b; Harayot 4a; Sanhedrin 54a.

the natural way and the unnatural, and this verse refers to the existence of unnatural sex. Interesting is that these Talmudic references are directed to unnatural heterosexual intercourse (biah shelo kdarcha), and has nothing to do with homosexuality. The context in Horayot is a menstruant woman and in Kiddushin it is the heathen slave (male or female consorting with the master (male or female). Maimonides[30] is quite emphatic: "Let me say that concerning all the forbidden unions, there is no difference whether the sexual intercourse is performed natually or unnaturally.[31] Natural intercourse is when the man faces his partner, and unnatural intercourse refers to posterior penetration. There is also no difference regarding an initiator (me'areh)or a consummator (Gomer) (vide infra) as to whether they perform sexual intercourse naturally or unnaturally.[32]

Returning to our discussion on kadesha, it is interesting to note that Louis M. Epstein[33] theorizes that although sacred prostitution and sodomy were always considered highly immoral acts worthy of heathens alone, there is, nonetheless, no direct prohibition either in the Covenant Code or in Deuteronomy. He develops his thesis that sodomy was not

[30] Commentary on Sanhedrin, Chapter 7, Mishnah 4.

[31] Sanhedrin 54a.

[32] Yebamoth 6:1 and 54b to 55a.

[33] Sex Laws and Customs, p. 135.

common among the Hebrews but crept in under the guise of religious service performed by kadishim, and became part of the Temple cult. This was a totally pagan practice stemming from the Canaanites, and still persisted during the reign of Rehoboam as explicitly stated in 1 Kings 14:24. Kings Asa and Jehasofot attempted to clean up this idolatry but it was not eradicated until Josiah[34] which lead to the prohibition in Deuteronomy 23:18. Kadesh takes on the meaning of a male votary attached to the Temple as a priest who serviced sexually male and female worshippers. The proceeds from this 'sacred prostitution' would go in to the Temple coffers. This vocation was common also among the women, and the female is known as kadesha.[35] 1 Samuel 2:22 makes mention of Eli being very upset with this practice. The Talmud[36] views the kadesh as purely a homosexual prostitute, but most indications lead to the conclusion that what is meant here are heterosexual prostitutes consecrated to serving God in the precincts of the Temple and which lasted through the reform of Josiah. The presence of women as votaries lends further credence that the verse in Deuteronomy is not a homosexual reference alone.

[34] 1 Kings 15:12; 22:47; 2 Kings 23:7.

[35] In addition, the verse in Hosea 4:14, "For they associate themselves with Zonot (harlots) and sacrifice with Qedesot" would seem to indicate that the Qedesa, as distinct from the Zona, had a temple function. In this case, a Qodes would be a male sacred prostitute relating to the fertility cult, a cult which, by definition, had no use for homosexual relations.

[36] Sanhedrin 24b.

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Raphael Patai[37] asserts that the kadesh was a male prostitute connected with the fertility cult centering around the mother figure Ashera. These male prostitutes were visited by childless women in order to become impregnated. Patai points out that such pilgrimages to holy places for the purpose of removing the curse of barrenness is still in Vogue today in all parts of the Middle East. The kadeshim may also have functioned in magic rites in the fertility cult to insure fruitfulness in nature, the autumn rains, crops, increase in domestic animals, etc. One of the tasks fo the kadesh was to supervise the work of the women who were weaving ritual garments for the Ashera statute and which was done in the chambers of the kadeshim, hence batei hakedeshim. (Batim can also be taken to read badim meaning linen.)[38]

In the Rabbinic period the existence of kadeshim had faded out which led to reinterpretations of the Deuteronomic prohibition. Targum Onkelos understood it as a prohibition against marriage with a slave.[39] The Septuagint to this verse makes it synonymous with harlotry and idolatry; Targum Yonathan ad locum labels the kadesh an ordinary prostitute on level with the zonah. In time it became but an additional reinforcement against the Levitical prohibition. "To the rabbis, sodomy is sodomy no matter what the circumstances, sacred as well as secular.[40] In tracing the development, Epstein notes that the Deuteronomic law differed from "the later Levitical Law" in 2 ways. The kadesh "stressed the crime of sodomy not as a

[37] The Hebrew Goddess, p. 45. See also p. 295, note 56.

[38] 2 Kings 23:4-14; 2 Chronicles 34:3-7.

[39] Deuteronomy 23:18. See also Torah Temminah ad locum.

[40] Louis Epstein, Sex Laws and Customs, page 136.

sexual crime, but as a form of idolatry, saying nothing concerning secular sodomy. Second, it prohibited it on the same level as prostitution but did not consider it a capital crime. The Levitical law went the whole way and was evidently quite effective in eradicating sodomy among the Jewish people."[41]

On the topic of Temple functionaries, not only was the kadesh common but there were other forms of sacred prostitution present. Deuteronomy 23:19 speaks of etnan zonah: "You shall not bring the hire of a harlot or the price of a dog into the Temple ..." Some scholars maintain that the "price of a dog" refers to the hire of a man by a man for sexual purposes. Hastings in his commentary on the New Testament makes reference of the dog being part of the Temple personnel among idolators (Phillipinas 3:2; Revelations 22:15). The New English Bible also speaks of the kadesh not as a 'sodomite' but a temple (male/female) prostitute. The New Jewish Publication Society translation reads: "No Israelite woman shall be a cult prostitute, nor shall any Israelite man be a cult priest." The next verse continues: "You shall not bring the fee of a whore or the pay of a dog into the House of the Lord." The J.P.S. note reads "dog, i.e., a male prostitute."

Ramban ad locum suggests that the prostitute:

> ... commits illicit sexual intercourse for apples and she divides them among the sick. Therefore, the Torah prohibited a harlot's gift to be

[41] Ibid.

> bought for any vow, for now they sin more and more. (Hosea 12:2) Similarly the matter of the price of the dog is that hunters using dogs and watchmen of walls raise brazen dogs that harm the public, and the owners vow their value as an atonement for their soul. Such is still the custom among men who ride to the hunts that they place th waxen image of their dogs before an idol that they may be successful with them. And the commentators have said that the reason for the prohibition is because they came about in a contemptible manner.[42]

Also common among the pagans and often associated with the cult was tranvestism - deriving sexual pleasure from wearing garments fo the opposite sex. This would explain the prohibition of Deuteronomy 22:5: "A woman shall not wear that which pertaineth to a man, neither shall a man put on a woman's garment; for all that do so are an abomination unto the Lord thy God." Epstein[43] identifies this verse with homosexuality, and the urge for people to imagine themselves as the opposite sex. The Bible treats this behavior "not as a pathology but a moral depravity."[44] Commenting on Deuteronomy 22:5, Rashi explains that a man dressed as a woman will be drawn to groups of women and women dressed as men will be attracted to men's circles. In both cases, such intermingling would lead to gilu'i a' rayot, lewdness and illicit relations.

Targum Yonatan, the Aramaic Bible commentary, interprets, "clothing of a man" to mean the Tallit and Tefillin, and therefore forbade women to wear them. Philo and Josephus[45] inter-

[42] Ramban: Commentary on Torah, English translation by Chavel.

[43] Epstein, p. 64.

[44] Ibid.

[45] Philo, On Courage, ed. Cohn, 2, p. 324; Josephus, Wars, 5, 9, 10.

pret this verse as a prohibition against men disguising themselves as women in warfare - a sign of cowardice:

> They ... indulged themselves in feminine wantonness till they were satisfied therewith; while they decked their hair and put on women's garments and were besmeared with ointments; and that they might appear very comely, they had paints under their eyes and imitated not only the ornaments but also the lusts of women, and were guilty of such intolerable uncleanness that they invented unlawful pleasures of that sort. Ant thus did they roll themselves up and down the city as in a brothel-house and defiled it entirely with their impure actions; nay, while their faces looked like the faces of women, they killed with their right hand; and when their gait was effeminate, they presently attacked men and became warriors, and drew their swords from under their finely dyed cloaks and pierced through everybody whom they lighted on.[46]

Maimonides believes that the Bible had in mind to discourage masquerading in the garments of the opposite sex during ritual worship and in orgies. For this reason Maimonides places this law in his code in the section on idolatry.[47] The Halacha stresses the sexual immorality involved with wearing the garments of the opposite sex for it leads to all kinds of immoralities, including homosexuality.[48] Epstein writes:

> Perhaps the biblical author knew of the psychosis of males desiring and imagining themselves to be females, and of females delighting in imagining themselves males, and creating the illusion by

[46] Josephus, ibid.

[47] Sefer Hamitzvot, Negative Commandment #40

[48] Epstein, p. 64-65. See also p. 66 for examples of practical application of this prohibition.

> donning the garments of the opposite sex ... At first blush the prohibition should apply only to full disguise of man for woman or woman for man, but not to wearing an article of dress or ornament belonging to the other sex. According to the halakic interpretation, if this injunction is to preserve the distinction in dress between male and female, even minor changes of dress of one sex for the other's is prohibited.

Closely linked to the exchanging of garments of the opposite sex is the general problem of transsexuals who are people born with the anatomy of one sex but who suffer from and identity with the other sex. The reader is referred to an excellent article where biblical and post-biblical sources are culled on this topic. Rabbi Bleich concludes:

> Although Judiasm does not sanction reversal of sex by means of surgery, transsexualism is a disorder which should receive the fullest measure of medical and psychiatric treatment consistent with Halakhah. Transsexuals should be encouraged to undergo treatment to correct endocrine imbalances where medically indicated and to seek psychiatric guidance in order to alleviate the grave emotional problems which are frequently associated with this tragic condition.[49]

It becomes obvious that homosexuality in the Bible is not dealt with in isolation. It seems to be connected with idolatry, in general, and idolatrous cultic ritual in particular. This is not to say that regular, secular sodomy was not to be found, but rather to indicate the general overall biblical context of the practice of homosexuality. Moreover,

[49] Tradition, Magazine, Summer 1974: J. David Bleich, "Survey of Recent Halachic Periodical Literature."

sacred prostitution, whether homo- or hetero-sexual was at no time or period native to Jewish practice. It was always imported from idolatrous neighbors:

> The story of sacred prostitution in all its forms and with its derivatives are here told makes clear the fact that not one phrase of it was of native Jewish origin, but was either imported into the Hebrew camp by their own wicked rulers from idolatrous neighbors or was forced upon them by foreign despots. All told, it presents the picture of a battle between the native Hebrew aversion to carnality in the name of religion, and the heathen groups, one after another, who made a religion of carnality. Legislator and prophet, warrior and rabbi, fought the battle for purity, both purity of the worship of Jehovah and purity of sex life. Despite some casualties, inevitable either in the conflict of ideals or the conflict of powers, Judaism was steadily victorious.[50]

[50] Epstein, p. 157.

CHAPTER III

It is apparent that the rabbis abhorred homosexuality with a passion equaled to that of the Bible's. We have already cited many of the rabbinic sources which indicate their attitude toward the various homosexual incidents in the Bible, as well as their opinions on other verses pertinent to this subject matter. There are in addition several other rabbinic references. For example, homosexuality is determined to be the cause of, among other things, solar eclipses[1] and the destruction of the Temple.[2] The Midrash speaks of the nadir of morality approached by the generation of Noah when it was common to write out formal marriage contracts for sodomy and buggery.[3] There is an interesting Midrash based on a verse in Lamentations. Rabbi Joshua ben Hananiah once went to Rome where he discovered a beautiful lad in prison, kept there for homosexual purposes. After testing the lad, Rabbi Joshua swore that he would ransom this boy: "The precious sons of Zion, comparable to fine gold."[14] He did so, and the lad eventually became a teacher in Israel, Rabbi Ishmael ben Dlisha.[5]

The second incident is interpreted from Lamentations 1:16. We are told that Vespasian placed the eminent men of Jerusalem on board three ships whose destinations were the Roman brothels. Upon discovering that the women, "who are formed by nature for

[1] Sukkah 29a.

[2] Tosefta Sotah 6:9, quoted in L. Ginzberg, The Legends of The Jews, (Philadelphia, Pa.: J.P.S., 1946), Vol. 6, p. 420.

[3] Gen. Rabah 26:9. See also Lev. Rabah 23:9

[4] Lamentations 4:2

[5] Eiche Rabah 4, 4.

coition," would refuse to submit, the men contemplated suicide: "How much more must we refuse to be used for unnatural purposes ... If we throw ourselves into the sea, will we enter into the life of the world to come?" It is toward these saints that God replied "for these things I weep."[6]

Although many precautions were instituted, the Rabbis were of the opinion that homosexuality was an activity for the heathen and not for the Jew. "Israel is suspected of neither pederasty nor bestiality."[7] Nonetheless, precautions were ever present undoubtedly to preserve this reputation held by the Jews. It is interesting to note here the debate which centered around Rabbi Judah's statement that two unrelated men may not sleep together under the same blanket.[8] He was overruled based on the premise that Jews would never even consider an act of homosexuality.[9] Maimonides codified this into law: "A Jew is not suspected fo sodomy or buggery. Therefore one is allowed to be alone with them. But if one takes care not to be alone with a male or an animal it is praiseworthy."[10] Rabbi Joseph Karo later repeated and added: "In our century (16th) when there are many loose men around (pritzim), one should refrain from being alone with another male."[11] A contemporary, Rabbi Solomon Luria,

[6] Ibid 1, 45.

[7] Kiddushin 82a. See also Maimonides, Issurei Biah 22:2

[8] Mishnah Kiddushin 82a.

[9] Ibid. The sages note that the law prohibiting an umarried man to be a teacher for boys, was not because of fear of homosexuality, but because of the visits of the mothers to the schoolhouse.

[10] Maimonides, Issurei Biah 22:2

[11] Karo, Schulchan Aruch, Even HaEzer: 24. Note that there is no direct legislation against homosexualtiy in the Shulchan Aruch.

disagreed even with this prohibition and declared that a male is even permitted to share the same bed and blanket with another man since homosexuality is so rare among Jews. One who refrains from doing so as a special act of piety is guilty of self-righteous pride.[12] A century later Rabbi Joel Sirkes suspended Rabbi Karo's prohibituon because such acts were nonexistent among Polish Jewry.[13]

This fascinating debate which lasted for so many hundreds of years certainly is indicative of the Rabbinic attitude toward homosexuality as well as the temptations of homosexuality. Because of this latter point - the existence of temptations - other various Halachot were set into motion specifically with reference to Jewish contact with the non-Jew.[14] Thus, a Jewish father was not to permit heathens to train his children because heathens are suspected of pederasty. In general, a Jewish youth should not find himself in seclusion with a heathen.[15] The reason for this, according to the Talmud, is that when the serpent came unto Eve he infused filthy lust into her. However, at Sinai when the Ten Commandments were given to the Israelites, that lust was eliminated. Since the heathens were not present at Sinai they retain that lust.[16] This lust extends to the prohibition of leaving animals with heathens: "Heathens

12 Yam Shel Shlomo, Kiddushin ch. 4, Law 23, See also Otzar Haposkim ch. 9, p. 236-238.

13 Bayit Chadash to Tur, Even HaEzer 24.

14 Sanhedrin 54a stresses once again the attitude that Jews are under no suspicion of lascivious behavior and therefore, two brothers are allowed to bathe together.

15 Maimonides, Mishnah Torah: Issurei Bain 22:5

16 Avodah Zorah 22b.

frequent their neighbors' wives, and should one by chance not find her in, and find the cattle there, he might use it immorally. You may also say that even if he finds her in he might use the animal as a master has said: Heathens prefer the cattle of Israelites to their own wives." [17]

On a number of occasions Josephus further punctuates the differentiation between the Jewish sexuality morality and that of the Roman's. Herod refused to send his young brother-in-law Aristobulus to the Roman court at the request of Antony, because "he did not think it safe for him to send one so handsome as was Aristobulus, in the prime of his life, for he was sixteen years of age, and of so noble a family; and particularly not to Antony, the principal man among the Romans, and that would abuse him in his amours, and besides, one that freely indulged himself in such pleasures as his power allowed him without control"[18]

Rabbi Norman Lamm brings to light one of the few Responsa on the topic of homosexuality.[19] In 1912, Rabbi Abraham Issac Kook was asked about a ritual slaughterer who had come under suspicion of homosexuality. Rabbi Kook felt that there was not enough facts to maintain a charge against the accused, and could

[17] Avodah Zarah 2b. See also 15b. See also Ginzberg, Legends, Vol. 6, p. 400, where it is told of the Ephraimites forcing Jeremiah into acts of immorality. See also pp. 128, 135, 355, 423.

[18] Josephus, Antiquities of The Jews, ch. 2, 6.

[19] Norman Lamm, "Judaism and the Modern Attitude to Homosexuality," 1974 Encyclopedia Judaica Yearbook, Events of 1973.

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not adjudicate a case based on rumor.[20] "Furthermore, he maintained the man might have repented and therefore could not be subject to sanctions at the present time."[21]

Homosexuality - the condition of physical acts of love with others of the same sex (the prefix homo is from the Greek meaning same and not from the Latin meaning man) - is a term that refers to both male and female. Jewish law, however, distinguishes between male and female homosexuality, and therefore when referring to female homosexuality we shall specifically indicate lesbianism. In contrast to male homosexuality, lesbianism is not even mentioned in the Bible. There is no direct prohibition, either because it was relatively unknown or because of the later Rabbinic view that the male was responsible for the mitzvah of procreation. Whatever the biblical thinking was, Jewish law treat the female homosexual more leniently than the male, and refers to lesbianism only indirectly. Commenting on "the doing of the Canaanites"[22] the Rabbis warn against female homosexuality as well as male homosexuality. What was the nature of these "doings"?: "You might think the verse refers to a prohibition against erecting buildings and planting vineyards in the same manner as the Canaanites. But the verse

20 King David was chastised for having once committed a judicial murder and had a very pious man executed on the false testimony of two witnesses who accused the man of buggery. Yerushalmi Sanhedrin 6, 23b, & c as quoted in Ginzberg, Vol. 3, p. 261.

21 Ibid.

22 Leviticus 18:3.

specifically states chukim, namely, the Jews should not follow the laws of these people nor in the 'doings' of their ancestors. And what were they wont to do? A man would marry a man and woman should marry a woman"[23] Ant this was considered legal behavior. Therefore, Jews are prohibited in following these "doings" and the statutes of the Canaanites.

In the Talmud,[24] Rav Huna viewed lesbiaism on the same level as harlotry. Although technically there was no intercourse, the lesbian was not a complete virgin and this made her unfit to marry a priest.[25] The final law differs with Huna's stringent decision, and legislates that the act is immoral, condemnable and prohibited - but not punishable. (Even HaEzer 20:2; Shabbat 65a & b.) The Talmud (Yevamoth 76a) does not equate lesbianism with premarital intercourse nor prostitution, and Maimonides even rules that a man need not dismiss a wife guilty of this act (as he would be required to do if she were proven guilty of adultery).[26] Maimonides does, however, recommend flogging as a sign of our disapproval of this act, and he cautions her husband to watch her carefully so as to prevent her associating with other women known to be promiscuous lesbians.[27] Undoubedly, the Rabbis considered lesbianism as an obscene practice. Although there are no records to validate the

[23] Sifra Dvei Rav, ch. 12:9, 8, (Om Publishing Co., 1946).

[24] Shabbat 65a & b.

[25] Rashi ad locum qualifies the reference to meaning only the high priest based on Lev. 21:14. But Tosfot ad locum suggests that it also refers to a kohen hedyot because the lesbian is guilty of znut. The prohibition for any priest to marry such a woman is found in Lev. 21:7.

[26] Maimonides, Issurei Biah 21:8.

[27] Ibid.

sentiment that Jewessess are above lesbianism (to rephrase Kid. 82a), we can be certain that the Rabbis did not consider sexual activities between females as of any consequence. True, Samuel's father did not permit his daughters to sleep together, (Shabbat 65a), but even here it was probably for the purpose of not having them become accustom to another's body in bed so as to arouse them sexually (i.e. heterosexually).[28]

In the next chapter the above ideas will be further concretized: the primal function of intercourse is to procreate; male homosexuality represents a waste of seed and a lost opportuntiy; lesbianism is inconsequential because there is no sex act, no penetration, no seed waste. It is not that Judaism views lesbianism less despicable than homosexuality; it doesn't. The legislation - or the lack of it - is but representative of the general overview of Jewish sexual attitudes.

[28] Louis Epstein, Sex Laws and Customs in Judaism, (N.Y., N.Y.: Ktav Publishing House, 1948), p. 138, note #33.

CHAPTER IV

Psychiatrists, psychologists and sex therapists insist that it is impossible to understand the nature and etiology of homosexuality without first analyzing the comprehensive basis of heterosexuality. Likewise in Judaism: its view on homosexuality flows most naturally from its general attitude toward sex and heterosexuality, and in analyzing the original design for the creation of two species of opposite sex.

Human sexuality is discussed in the beginning of Genesis 1:27, 28, 2:18-24. As with every other aspect of creation, sexuality likewise was a distinct part of God's plan for implementing the prepetuation of the universe. That sex was to be part of man's nature is not an accident or a hapazard divine concession; it was part of God's Will. God created sex in His own image: male and female were part of His original programming. God who is a-sexual bestows sexuality on His creatures as if to say that sexuality is the very essence of humanity, as opposed to divinity. God does not need a helpmate; God creates and not procreates. But man and woman belong together; He created them together and they share in God's creativity through sex and companionship. To live in the Divine Image, in this case, would mean to live unlike God lives, but to live as He so wills male and female to live. God is perfection unto Himself but man fulfills himself only by "relating to a Thou, who through different is yet part of him - flesh of his flesh and bone of his bone ... being in fellow-humanity".[1] Male and female

[1] Seymour Siegel, Some Aspects of the Jewish Tradition's View Of Sex, (mimeographed material).

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created He them"[2] in mutality and in equality.

This idea did not escape Rashi who ad locum notes an apparent contradiction between Genesis 1:27 which describes the creation of man and woman as a unit, and 2:21 which details the creation of woman from man's rib. The difference between the two versions, he asserts, is that while both male and female were created on the sixth day, the specific details of their creation were not related in the first version. He cites a midrash stating that man was created originally with two faces (shnei - partzufim) - i.e. male and female halves - and afterwards He divided them.[3] It is apparent that Rashi views the male/female creation as deriving from a unit of equality and mutuality. One must also be aware of the shift of grammar in 1:27 from singular to plural in the expression "in the image of God He created him" the singular is employed, while in the expression "male and female He created them" the pronoun is in plural. It has been suggested that the former refers to man's (spiritual) permanence as an individual which he enjoys over and obove the other animals. The latter refers to the permanence of the species which is due to the union of male and female.[4]

Moreover, in the first account of creation there is no differentiation whatsoever between the male and female - neither in status nor in order of creation. This is not the case among other creations. True, all creatures were created in both sexes:

[3] Rashi Genesis 1:27 See also Eruvin 18a.

[4] Joseph Albo, Sefer Haikkarim 1:11; Malbim ad locum.

tion is the essence of imitatio dei, and therefore it is a dvar Mitzvah. Commenting on Isaiah 45:18 about the formation of the earth: "He formed it to be inhabited", the Rabbis comment: the world was created for procreation.[10] Sex is a great blessing. As with all blessings, sexuality must be properly directed. The Maharal expounds: "Man and woman represent two opposites. When they are worthy, they merge into a unified whole, but when not worthy, they are against each other."[11] Man has the potential of using his blessings for good or evil. With his free will, only he will decide if the blessing will indeed remain a blessing. Also, Ramban[12] remarks that "good" is not used in the creation of man, precisely because it wasn't good (lo tov) for him while he was in a state of aloneness, prior to the entrance of woman into his life.

Aloneness is synonymous with imperfection for "a man without a wife is not called a man, as it is written 'male and female created He them and He called their name Adam.'"[13] Solitude constitutes a state of "helplessness" which can only be mollified by companionship.

Rashi 2:18 understands aloneness as uniqueness: "It is not good for man to think of himself as unique (yachid) on earth as God is unique above.

[10] Eduyot 1, 13; Gittin 41a.

[11] Yevamot 63a.

[12] Nachmonides, Commentary Genesis 2:18

[13] Yevamot 63a.

"everything God created He did so male and female - even among the flowers, trees, the four elements, the stars ... even in the spiritual sphere there are male and female counterparts"[5] Human creation is the only case, however, which specifies the constitutional differentiation of sexes:[6] God created them differently, yet dependent upon one another for love, sex, companionship, responsibility leading to procreation. "Be fruitful and multiply" is not only a proscription; it is a prescription for a good, sound, normal life. Not only is the sexual activity "very good" and nothing to be ashamed about, but results in increased species and the founding of a family which is the beginning of the idyllic life. Let it be noted that "be fruitful and multiply" is written twice[7] precisely to accentuate the lack of comtempt biblical Judaism had for the sexual drive. Although the commentators agree that pru urva is one of the 613 mitzvot[8] they differ on whether it is inferred from Gen. 1:22 or 1:28. The repetition is to emphasize that sex can be enjoyed even beyond the requirements of procreation.[9] Man/woman become co-partners with the Almighty in sustaining the cosmos. Living in the "image of God" is joining forces with Him in sustaining what God saw fit to create. Procrea-

[5] Otzar Yisrael, Vol. 4, p. 229

[6] Samson Raphael Hirsch 1;28 distinguishes between the procreative instinct of animals which is purely physical and that of humans which is a free-willed moral act.

[7] Genesis 1:22; 1:28

[8] Maimonides, Ishut, 15:1; Sefer Hamitzvot, Positive Commandment #212. Sefer Hachinuch, Mitzvah #1. See also David Feldman, Birth Control in Jewish Law, (N.Y., University Press, 1968),p. 46.

[9] Yevamot 61b. See also Feldman, ch. 4, p. 60 - an entire chapter deliniating the mitzvah of marital sex beyond the obligation of procreation.

The Rabbis preceive the human factor in need: "One who has no wife dwells without good, help, joy, blessing, and atonement. 'Without good' as it is written: 'it is not good that man should dwell alone' ... He is also incomplete ... and He even impairs the Divine likeness..."[14]

Woman is the helpmate par excellence for companionship and procreation. Commenting on "it is not good ...", the Ramban continues:

> It is unseemly that man should be alone in the world and not procreate. All creatures were made male and female in order to perpetuate the species; even plantlife has seed within it. Or perhaps (as a Talmudic Sage suggests in Brakhot 61a), a man was created bisexual (du partzufim)... but God was that it would be good for the helpmate to be opposite him (k'negdo) and he would then be able to be separate from or joined to her as he wishes ... 'It is not good' because man cannot thus survive; only of creation that endures (hakiyum) are we told that God 'saw that it was good.'[15]

It is apparent that reproduction is impossible without an ezer, a companion who was equal to him on every level. And this awareness by man is expressed in 2:22. The use of the phrase 'and He bought her' (which would imply from a distance, while in reality she was formed from his side) is explained by Ibn Ezra ad locum as being Adam's reaction upon awakening and seeing this woman. He surmised that, like the other creatures, she was brought to him from elsewhere. It was only when he gazed upon her and realized that part of his body was missing,

[14] Yevamot 62b.

[15] Nachmanides, Commentary 2:18.

that he was moved to declare "bone of my bones and flesh of my flesh!" He immediately names her: "This shall be called Woman": "this one is fit to be called Woman."[16] He was not referring to her specifically: every female would be designated by the term "Woman"; her proper name was Chavah.[17]

Ramban explains: "she is bone of my bones and flesh of my flesh and therefore, all the creatures to whom I have given names she is worthy of being called by the same name as mine."[18]

It seems only natural, then, that man would be excited with the notion of relocating his lost part. The zachar searches for his lost part, the nekevah who was removed from him and placed k'negdo. The basis of sexuality is, then, the union of the lost parts, and this may explain the gravitation of sexual opposites to one another. Therefore, the commentators are quick to remark on 2:24: "vdovak": "to his wife -- but not to a male" (i.e., a prohibition against pederasty; for it is natural only for the opposite sexes to cling to each other); and "not to his neighbor's wife" (a prohibition against adultery).[19]

Man is not unique among living beings in having a sexual

[16] Torgum Yonatan 2:23.

[17] Radak ad locum. The Midrash (Tanchuma Yashan Vayera) relates that God brought her to Adam amidst great fanfare. "God made a canopy for her of the most precious stones and He Himself led her to Adam ... Happy is the man who is privileged to see his mate taken by the King and led to his home."

[18] Ramban 2:20

[19] Sanhedrin 58a; also Ramban Melachim 9:5; Kiddushin Yerushalmi 1:1.

life. But other creatures require mating only for the purpose of breeding; because male and female were created simutaneously, they can function independent of one another. Man is different: woman was created from man to show that only in partnership do the two form a complete human being,[20] one entity, one body.[21] Therefore, "a man should seek to marry a woman harmoniously suited to him, so that together they form one flesh - a perfect whole (shlemut)."[22]

It was because of their unity in flesh and in purpose that they "were not ashamed":[23]

> All their acts and organs were exclusively (laasot rtzon konam) in the service of their Maker (for the propagation of the species - Malbim) and not at all for the satisfaction of desire (ta annugot). Consequently, the act of cohabitation was to them as innocent as eating or drinking, and they regarded the reproductive organs as naturally as we regard the mouth, face and hands.[24]

The Bible does nto insist that the begetting of offspring is the sole purpose of sex, but it does make clear that "be fruitful and multiply" and having children have top priority in the importance of the Divine Order. Although the emphasis is on sex for procreation, sex for pleasure was never denied. A man's obligation to please his wife sexually is never abatted. This and the general Rabbinic view of martial relations are the subjects of our next chapter.

[20] See Hirsch, 2:20, 24.

[21] Ibn Ezra 2:23.

[22] Sfarno 2:24

[23] 2:25

[24] Sfarno 2:25. See also Ramban to verse 9.

CHAPTER V

Continuing on the premise that our subject of homosexuality can be understood only within the context of sexuality in general, it is now in order to present an overview of the Jewish attitude toward sex as presented in Rabbinic and mystical writings. As will become evident, the past-Biblical view of sexuality reiterates many of the Biblical themes. Sexual unions are blessed only when they transcend the purely physical sphere and lead to "one flesh" spiritually as well as biologically. Sexual partnership is designed to help end loneliness, to form a family, and perpetuate a community. Sex has the potential to be holy and beautiful and it is up to man and woman to actualize properly this potential through passion, discipline, sense of mutual responsibility and caring. Judaism stresses the relational as well as the procreational character of sex and marriage leading to a union of holiness and idealism. In summary, Jewish sexuality "excludes primitive biological sexuality as well as sophisticated ascetism."[1] It presents a realistic attitude recognizing man's basic urges and desires. Much of Talmudic legislation, in fact, is so designed as to control the libido in the most normal possible manner. For example, thoughts about sex which do not lead to the act proper are destructive. They produce undesirable physical symptoms and create a lascivious imagery.[2] These can become very troublesome inasmuch as thoughts

[1] Eliezer Berkovits, Crisis and Faith, (New York: Sanhedrin Press, 1976), p. 53.

[2] Yoma 29a.

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about sex tempt a man all day.[3] What is more, unfufilled desire and thought remains strong even though there is no consummation.[5] Gratified or not, sex is a perpetual drive. As late adolescence and early adulthood mark the height of male desires and virility, the Talmud has it that if a youth is unmarried at the age of 20, he spends most of his time thinking about sex.[6]

The female's sex role is by no means discounted. She is said to prefer one measure of sex enjoyment with a pauper to ten measures of abstinence with a rich man.[7] She is said to be coy, thus encouraging the male to pursue her as is his wont.[8] To make the pursuit more attractive, breasts were bestowed upon a woman to serve as an additional lure.[9] But there is no emphasis on "bustiness."[10] Her feminine sex characteristics are her chief "weapons" or assets.[11]

In their effort to place the sex drive into proper perspective, the Sages appealed to common sense. For instance, if a man felt that his desire for sex was getting the best of him, he is advised to go to a place where people do not know him,

[3] Baba Basra 164b.

[4] Succah 52a.

[5] Sabbath 64a.

[6] Kiddushin 29b.

[7] Ketuvot 62b.

[8] Yavamot 47b; Kiddushin 2b.

[9] Berachot 10a.

[10] Ketuvot 75a.

[11] Yavamot 115a.

wear dark clothes and if need be satisfy his desires "secretly and not to publicly profane God's name."[12] Even at a time of mourning, when the deceased is not yet buried, sexual desire can overwhelm the mourner.[13] Some restrictions not imposed by the Bible are enjoined by the Talmudic Sages. Thus a man who had intercourse with his wife in public because as a sudden urge, is to be punished by flogging.[14] But, if a scholar yields to his sex drive, he should not be hastily condemned. One may assume that he will repent of the act the next day.[15]

What then are the means of controlling the sex drive? One opinion has it that concentration in the study of Torah will contain improper sex desire. Another statement has it that he who concentrates on the words of the Torah is freed from thoughts of sex.[17] It is asserted that just as God created the sex drive, he also created it s control mechanism: study of the Torah.[18] The symptomatic and psychosomatic pains of the head, throat, bowels and bones, very often resulting from thwarted sex desire are said to be eased by the study of the Torah.[19]

[12] Hagigah 16a. But Rabbi Hananel interprets that by wearing the dark garments the man in question will be able to conquer his evil inclination and will not commit the sin. See also Soncino, Hagigah 16a, footnote #4.

[13] Kiddushkin 80b.

[14] Yavamot 90b.

[15] Berachot 19a.

[16] Berachot 5a.

[17] Avot de Rab Natan, Perek 20.

[18] Kiddushkin 30b.

[19] Eruvin 54a.

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The need to condition and prepare the wife for coitus is indicated in the Talmudic suggestion that a man should seduce his wife.[20] Seduction is defined as endearing conversation and demonstrative love and desire. Another means of stimulating a woman's desire is the giving or promising of gifts.[21] A woman cannot express her desire for sex verbally.[22] It is also wisely said that the male must satisfy the female's deep sexual yearning by giving her joy, i.e., an orgasm.[23] There is much insight in the statement that during the first three months of marital intimacy coitus is difficult for the wife.[24] The tension and delicacy of sexual adjustment during the first months of marriage are determinants of its future success. The frequency of intercourse is considered an important aspect in marriage and the Talmud offers a suggested time for conjugal rights.[25]

The seminal flow too is a matter of concern.[26] The quality as well as the quantity of the sperm are important factors in procreation. The flow is said to be increased by the eating of garlic.[27] On the other hand, the seminal flow may be decreased by the use of too much salt, hunger, skin disease, too much weeping, sleeping on the ground, the admin-

20 Eruvin 100b.

21 Ketuvot 65a.

22 Eruvin 100b.

23 Kalah: 32.

24 Niddah 31a.

25 Ketuvot 61, 62b; Niddah 38a.

26 For a detailed study - Feldman, Birth Control in Jewish Law, ch. 4.

27 Baba Kama 82a.

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istration of lashes as punishment and from the growth of premature pubic hair.[28] A surprising knowledge of the genito-urinary system is evident from the statement that the male has two tubes - one to convey the urine and the other to convey the semen and that the separation between the two is as thin as garlic skin.[29]

The wrong techinques of intercourse are pointed up in interdictions. They preclude coitus by candlelights, after a tiring journey, in a standing position, in front of others, fully clothed, when drunk, in years of famine, while lying on the ground, with the female in the upper position, too great frequency and by force.[30] It is prohibited to engage in intercourse during the day, lest the husband discover a fault in his wife's figure and find her undesirable.[31] Moreover, coitus with divorced or widowed individuals is often troublesome because of the subconscious comparisons between the present and former mates.[32] Therefore, one should not "cook" in a pot that another has "cooked" in: "When a divorced man marries a divorced woman, there are 4 minds in the bed."[33]

[28] Baba Kama 82a; Gittin 70a.

[29] Berachot 44b.

[30] Maimonides, Issurei Biah, ch. 21, 22 and throughout.

[31] Naddah 17a.

[32] Pesechim 112a; see also Nedarim 20b.

[33] Ibid.

There are Rabbinic discussions regarding behavior in the marital bed. According to one interpretation, R. Huna advised his daughters how to practice sex techniques with the object of arousing their husband's desire.[34] Unorthodox conduct was permitted. While one Rabbi taught that children are born blind because the husband "gazes at that place," are born dumb because he "kisses that place," and are born lame because he inverts the table," the ruling is given that all those are permitted.[35] The Talmud goes on to say, however, that it is forbidden for a husband to have another woman in mind during intercourse with his wife, nor must he cohabit with her if he intends to divorce her. Following the Talmudic ruling but with certain reservations R. Moses Isserles in his notes to the Shulchan Aruch[36] writes:

> He can do as he wishes with his wife; he can have intercourse at any time he wishes; he can kiss any part of her body; and he can have intercourse both in the usual way in an unusual way or on her limbs, provided that he does not spill his seed. Some are more lenient and rule that unnatural intercourse is permitted even if it involves a spilling of the seed, provided it is only done occasionally and he does not make a habit of it. Although all these are permitted, whoever sanctifies himself in that which is permitted to him is called holy.

In talmudic terms, sexual deviation is primarily the wasting of seed. Thr purpose of sex is procreation. Therefore coitus that contravenes the essential intent is deviation. In this category are prostitution, homosexuality and masturbation.

[34] Shabbat 104b.

[35] Nedarim 20 a&b.

[36] Even HaEzer 25:2.

Masturbation is severely censured.[37] The masturbator is considered a major sinner - a murderer and an idolator. He is deemed deserving of exile and death. His act is claimed to be the cause of floods on earth.[39] Female masturbation is also mentioned.[40] There is the injunction that a young female's genitals should not be throughly examined (by other females) lest she be taught the unnatural pleasure of masturbation.[41] There are many strictures designed to prevent manual contact with the sexual organs. One of the Sages was praised for never having placed his hand in the vicinity of his private parts or even looked at them.[42]

The ethical objection to masturbation is outlined by Thielecke (Ethics of Sex, p. 256): "Masturbation is a rule regarded as offensive for the following reasons. First and above all because in masturbation sex is separated from the I-Thou relationship and thus loses its meaning as being the expression and consummation of this fellowship. Second, because the sexual phantasy is no longer bound to a real partnership and therefore roves about vagrantly."[43]

37 Niadah 13b. Zohar as quoted in Shulchan Aruch Even HaEzer 23:1.

38 Nidah 13 a.

39 Kalah Rabati 52 a.

40 Yevamot 34b.

41 Niddah 11b.

42 Sabbath 118b.

43 Quoted in Seymour Siegel; "Some Aspects of the Jewish Tradition's View of Sex," (mimeographed material) p. 16.

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According to the Talmud, one who commits adultery lacks intelligence.[44] An adulterer is destined for hell.[45] Even if he calls on heaven and earth to witness the sincerity of his repentance; or even if he were to receive revelation as Moses did; or to give alms anonymously; or study the Torah he would not be freed from the judgment of hell.[46] A married woman who is raped is forbidden to her husband, for even though the beginning was unwanted, the latter part of the act might have been pleasurable.[47] If a husband commits adultery, the wife is likely to follow suit.[48] As a result, the home becomes a nest of deceit. Adultery bores within it like the sesame worm.[49] Adulterous wives cuckold their husbands by showing them love. If impregnated, they credit their husbands with the pregnancies.[50] It is asserted that a woman who commits adultery uses a contraceptive device.[51] The frivolity with which adultery was regarded by some is indicated by the greetings exchanged by Jerusalem sophisticates. They are quoted to have said: "On what did you dine today - a stale piece of bread (married woman) or a fresh piece of bread (virgin)? Was the wine white (married woman's

[44] Sanhedrin 99b.

[45] Sota 4b.

[46] Sota 5a.

[47] Ketuvot 51b.

[48] Sota 10a.

[49] Sota 48a.

[50] Yevamot 35a.

[51] Ketuvot 75a.

lubrication) or dark (virginal blood)? Did you use a wide couch (for a fat woman) or a narrow couch (for a thin woman)? Was she a good partner or a bad partner?"[52] There were also incidents of wife swapping. A description is given of those who ate and drank in company, put their couches together, exchanged wives, and contaminated their couches with alien semen.[53]

No one is above the allurement as sexual advances and excitation. The Talmud relates that Rabbi Meir used to scoff at transgressors, maintaining that they had the power to subdue evil desires if they wished. One day Satan appeared to him in the guise of a beautiful woman on the opposite bank of a river. As there was no ferry, he seized the rope (stretched across the river to pull the ferry when in operation) and proceeded across the river. When he reached halfway along the rope, Satan resumed his normal shape and freed him from temptation, saying, "Had they not proclaimed in Heaven, 'Take heed of Rabbi Meir and his learning,' I would have destroyed you.'[54]

The Gemara then repeats a similar story about the great Sage Rabbi Akiba to whom Satan appeared as a woman sitting on top of a palm tree. Rabbi Akiba began climbing up after her but when he reached half way up, Satan let him go repeating the same remarks.[55]

[52] Sabbath 62b.

[53] Sabbath 62b.

[54] Kiddushin 81a.

[55] Ibid.

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The question arises, why did the Gemara have to tell us these stories which are not complimentary to these great Sages? To teach us a moral, that a person, no matter how great and holy he may be, should never be too sure of himself when it comes to morals.

Although the libido is often identified with the yetzer hara, the evil inclination, there always seems to be a dignified way in which the rabbis could assuage the conscience. Rabbi Samuel, the son of Nahman, for instance, comments on the words of the Bible that at the end of creation God saw everything that he had made and behold it was tov me'od, very good: tov, good, that is the yetzer tov, the good inclination in man; tov me'od, very good, that is the yetzer hara, the evil urge in him. The question is, of course, asked: How is this to be understood, how is it possible to call man's innate inclination for evil "very good?" The Midrash responds: This is to teach you that were it not for "the evil inclination, man would not care to build a house for himself, he would neither marry nor beget children, nor would he attend to the affairs of human existence."[56]

The same idea is expressed in a rather moving story from the life of Abbaye, one of the outstanding teachers in the post-mishnaic talmudic period. He once overheard a man and a woman making arrangements to set out together early in the morning on a journey on foot. Said Abbaye to himself: I shall

[56] Bereshis Rabbah 9?

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follow after them in order to keep them from sinning. He followed behind for three parsangs across meadows. It turned out that as far as the two travellers were concerned it was a very innocent trip. As they reached their destination, Abbaye heard them take leave of each other with harmless civilities: "It was a long way. Our company was pleasant. So long." Abbaye was rather ashamed, recognizing that he himself could not have travelled with the woman so innocently. "Leaning against a door, he was visibly upset and pained, until an old sage came by (to whom Abbaye must have told the reason for his mental anguish) and taught him: The greater a man, the stronger his yetzer, his instinctual drive."[57]

Dr. Eliezer Berkovits[58] depthly and deftly analyzes the famous story related in Menachot 44a, of the Yeshiva student who visited a prostitute in a distant community. Berkovits concludes: "Though there was no commandment to "love" one's wife, tenderness was considered essential. "The Torah teaches gentle manners when it says in the Song of Songs (4:16) 'Let my beloved come into his garden.' The bridegroom should not enter the marriage-chamber until the bride gives him leave."[59]

"Rab said: 'Be careful not to hurt your wife because woman is prone to tears and sensitive to wrong.' R. Helbo said: 'Be careful about the honor of your wife, for blessing enters the

[57] Sukkos 52a.

[58] Crisis and Faith, (N.Y.: Sanhedrin Press, 1976), p. 64.

[59] Pesah Rabah 17b.

home only because of her.'"[60] "Of him who loves his wife as he loves his very own self, and honors her more than himself, the Book of Job says (5:24), 'Thou knowest that thy is in peace.'"[61]

From earliest days a Jewish wife was guaranteed her "conjugal rights." The Talmud prescribed cohabitation as a weekly enjoyment, befitting the Sabbath itself. To the husband who shows concern for his wife's sexual gratification the Rabbis promised sons and beautiful children as a reward.[62] All forms of sex play between husband and wife are encouraged in halakhah if the aim is greater nautral fulfillment. One sage bespeaks the ideal when he would have the experience of the marriagebed continually as exciting and fresh as the first union on the wedding night. Maimonides summarized the Jewish law: "to have sexual intercourse ... when there is mutual consent and both are in a happy mood."

Even in old age a woman is urged to make herself appealing to her husband. The leading rabbi of the thirteenth century, Meir of Rothenberg, went so far as to say, "Let a curse descend upon a woman who has a husband and does not strive to be attractive.

A poignant story about love of a wife for her husband is told in rabbinic literature:

61 Sanhedrin 76b.

62 Nedarim 20b.

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There was a couple in Sidon who, after a marriage of ten years that had borne no children, went to R. Simeon B. Yohai and asked to be divorced. The rabbi said to them, "As your marriage began with a banquet, so let it terminate with one."

They agreed, and made for themselves a festive repast, replete with wine in which the husband freely indulged. While yet totally aglow with drink, the husband said to his wife: "My daughter, select anything in this house that you may deem most precious, and take it with you tomorrow when you return to your father's dwelling."

When her husband awoke from his long sleep of wine, he found that servants had picked up the bed on which he lay, and transported him to his father-in-law's residence. "Did you not tell me last night," said his wife, "to take what is most precious to me from your house? There is nothing in the world more precious to me than you."[63]

The marital rights of woman are based on Exodus 21:10 under the terminus techincus, onah. Rabbi David Feldman[64] has an illuminating discussion of this mitzvah, where he introduces the sources for man's obligation to sexually please his wife, and for her to enjoy such rights and not forfeit them.[65] The reader is referred to Feldman's chapter 4 for the souces on nonprocreative intercouse as well as the quality of onah, and ch. 5 for the sexual satisfaction due one's wife. In sum: "That

[63] Shir Hashirim Rabah: 1, 30 (on V. 1:14).

[64] Birth Control in Jewish Law, ch. 4.

[65] Ketuvot 56a; Kiddushin 19b, Yad, Ishut 12:27; Nedarim 81b.

the sexual component of marriage is essential the very fabric of that state of affairs is attested to by the deeply poignant reflection of one Talmudic Sage on the cessation of sexual powers in his old age: he calls it the cessation of the instrumentality of domestic peace. The same sentiment is part of the Midrashic understanding of Ecclesiastes' sad lament (12:5) of when 'the caperberry shall fail (v'tafer ha aviyonah)': the caperberry signifies the sexual element: the instrument, says the Midrash, of peace in the home, of love between man and wife.

The attitude to marital sex is uniformly affirmative and joyous, and characterized by a considerateness to the wife which makes for fundamental domestic peace. (A man 'who respects his wife more than himself' - because 'a slight to her is worse than a slight to him' - 'can be sure his 'tent is at peace' '.) Assuredly, this sh'lom bayyit, grounded in considerateness, then prevaded the totality of the marriage relationship - and into 'old age' as well."

To be sure, one can find within the context of Judaism a negative approach toward sexuality. Although the mainstream of Judaism promotes sexual welfare and the bliss of marital sexual intercourse, there are nonetheless, variant viewpoints. Saadiah, for example, noted some of the dilatarious results of cohabitation. "And what about the filth and defilement resulting from it, which, if a person has any sensitiveness and delicacy of feeling, will cause his very clothes to declare him filthy, even though he clean himself scrupulously?" Saadiah concludes: "It is proper for a man to satisfy his appetite only in order to produce offspring, as

Scripture also says: 'And you, be ye fruitful and multiply; swarm in the earth, and multiply therein'.[66] Hence he should give his impulse free rein when in the estimation of reason it seems necessary, and check it when that need has been fulfilled."[67] Likewise, Maimonides concurs with Aristotle that the sense of touch is the most shameful of the senses.[68] One need only study the legal status of the woman wherein she is greatly disadvantaged. Maimonides codifies "... Every woman has the right to leave her house in order to visit her parents, pay condolence calls, to attend festive meals (on the occasion of weddings, etc.), rendering loving-kindness to her female friends or relatives so that they in turn would visit her, for she is not in a prison that she should not be able to go and to come. However, it is shameful for a woman to go out regularly, outside the house or into the streets. A husband should prevent his wife from doing this. He should not allow her to go out more than once or twice a month, according to need. For it is becoming for a woman to sit in the house, as it is written: All glorious is a King's daughter within the palace."[69]

"Every woman has to wash the face, hands and feet of her husband, mix for him his cup of wine, prepare his bed, and stand and serve him, for instance, by handing him water, a dish,

66 Genesis 9:7.

67 Emunot ve-Deot, 10:6. Beliefs and Opinions, trans. Samuel Rosenblatt, (New Haven: 1973), pp. 371-373.

68 Guide for the Perplexed, 2, 36; 3, 49.

69 Yad HaHazakah, Ishut, 13, 11; the biblical quotation is from Psalms 45:14.

and clearing away from before him."[70]

There was apparent tension between such sentiments and the general rabbinic viewpoint.

More typical was the view expressed by Nachmanides:

> "Know that sexual intercourse is a holy and pure matter when it is carried on in the proper way and in the proper time and with the proper intentions. A person should not think that sexual intercourse involves an ugly and loathsome activity, God forbid, God forbid! (ya-da) and know, further, that unless it had involved matters of treat holiness, sexual intercourse would not be called 'knowing.'
>
> God, may His name be blessed, has created everything, and nothing that he has created invloves ugly or loathsome qualities. If you consider sexual intercourse repulsive, than you must also say that the gential organs are also organs of repulsion. Lo, the Holy One, Blessed be He, created them by His Word, and if the sexual organs are repulsive, how could the Creator have created them? ... Sexual activity carried on properly can be a means of elevation and sanctification.
>
> This is what the Sages meant when they said, that when a man cleaves to his wife in holiness, the Divine Presence is manifested."[71]

In Chassidic thought, this basic tension is ever present, Louis Jacobs cites Y.A. Kamelhaar who in his studies of Hasidic masters (Dor Deah, 1933), writes in his Introduction, from personal experience, how Hasidic youths recently married would be ashamed to meet their friends when their wives had children because it demonstrated that they had had sexual intercourse. True, they argued, it is a religious duty but one that can be

[70] Yad HaHazakah, Ishut, 21, 3.

[71] Nachmanides, Iggeret HaKodesh, in Feldman, op.cit., pp. 99-100.

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compared to cleaning out the rubbish from the king's palace. One who does this also serves the king but there are higher ways of serving him!

An interesting study by a Hasidic master on the Hasidic attitude to sex is provided in the little work Sur Me-Ra (Keter, n.d.) by R. Zevi Hirsh of Zhydatchov (d. 1831) with notes by R. Zevi Elimelech Spira (d. 1841). After quoting (pp. 49-50) the rule for the Kabbalists drawn up by R. Hayyim Vital,[72] 'he should sanctify himself at the time of intercourse so that he should derive no pleasure from the act,' the author remarks that he had heard from his teacher, the Seer of Lublin (d. 1815), that this can only apply to the attempt to have holy thoughts before the act. 'But during the act it is impossible for him not to have pleasure.' The Seer quotes the saying of R. Elimelech of Lyzhansk (1717 - 1787) that there is no benediction before sexual intercourse (as there is before enjoying food) 'because this act is impossible without an admixture of the evil inclination.'[73]

The author comments on this:

> However, I always instruct my disciples as follows. Although the rabbis did not ordain that a full benediction be recited, with God's name and a reference to His sovereignty, the God-fearing man will nevertheless give praise and thanks for the pleasure God, blessed be His name, has given him. In his great mercy and goodness He has given him strength. For all that, a man should keep himself remote from having pleasure in the act so far as he

[72] Introduction to Ez Hayyim, Koretz, 1784.

[73] Noam Elimelekh, Va-yishlah.

> is able. As I have heard it, from my master, the holy Rabbi Dov Baer (the Maggid of Mezhirech), Rabbi Judah the Prince stated on his death-bed that he had never had enjoyment from the world even with his little finger.[74] Rabbi Dov Baer said that this referred to the sanctification of the marital act, as the Rabbis refer to 'fingers' in a sexual sense.[75] However, if you do have pleasure in the act, give thanks to your Creator for it in any language you wish. By so doing you will restore the pleasure to the One who created it and you will not be guilty of using sacred things.[76]

R. Elimelech of Lyzhansk, quoted in the above passage, comments further on this topic on the verse: 'And Adam knew his wife: and she conceived and bore Cain.'[77]

> Ideally a man's thought at the time of intercourse should be on the Divine alone, so much so that he should be unconscious that he is engaging in the act. When Adam became conscious ('knew') of being with his wife they gave birth to Cain, the first murderer. Similarly, of Abraham it is said: 'And it came to pass, when he was come near to enter into Egypt, that he said unto Sarah his wife: 'Behold now I know that thou art a fair woman.''[78] Only when he came under the influence of the lewd Egyptians did Abraham become aware that his wife was beautiful."[79]

[74] Ketuvot 104a.

[75] Niddah 66a.

[76] Z.H. of Zhydatchov, Sur Me-Ra, Kater, n.d., p. 50.

[77] Genesis 4:1

[78] Genesis 12:11.

[79] Noam Elimelekh, Bereshit.

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CHAPTER VI

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Jewish sexual ethics can be summed up as being concerned with both man and woman equally. Recognizing libidos, weaknesses, and all the mental health conditions Judaism sets out with a code of discipline with the goal not of senseless denial with repressions, but an enhancement of relationships. It is the transformation of man the animal to man the person, and therefore proper sex is not an act but a process of humanization and personlization. It is the fulfillment of the Divine commandment to enjoy the pleasures of sensuality; the body is holy.

> "As to the objection that is raised against the defilement and the contamination of the soul consequent upon its union with the body, we say, in reply thereto, that the body of man contains no impurity in and by itself. It is, on the contrary, entirely pure, for defilement is neither a thing subject to sense perception nor a requirement of logic. It is purely a decree of the Torah. This law has declared unclean certain secretions for human beings after their discharge from the body, although they do not defile while they are within the body. The aforementioned allegation can be maintained only if he that makes it will impose upon us rules that he has invented out of his own mind and make it obligatory upon us to consider as reprehensible what he so regards. That however, we shall not permit him to do."[1]

Although corruptible, the sex impulse is a potential blessing in that it leads to the propogation of the species and the family of mankind. In this way we become partners with God who Himself brought man and woman into being for partnership and perpetuation. Jewish sexuality is ordered, disciplined

[1] Saadia Gaon, The Book of Beliefs and Opinions, translated from the Arabic by Samuel Rosenblatt, Yale University Press, New Haven, 1955, p. 249

behaviour without for a moment detracting from the pleasure principle. By becoming master over his actions, man can use the gifts of nature for the refinement of the universe. Sex and marriage constitute a social realtionship as well as an individual one. They are not purely private matters. Sex in the human is never a merely physical concern. Nor is it a purely private matter; for sex on the level of man inevitably has social implications. What goes on between the partners is a concern of society as a whole. Humanization demands that the total union of two persons be made public and protected by marriage as an institution.[2]

Moreover, Jewish sexuality is not concerned with the sexual organs alone. Jewish sex represents a totality of mind, body, personality, feelings and needs - the greatest need of which is to lift man from the biological level onto a spiritual one, thus making him closer to the Divine Being.[3]

Helmut Thielicke in his monumental Ethics of Sex suggests:

> "He who no longer knows what man is, also cannot Know what it is on which his peculiarity as a sexual being is based. He who disregards this anthropological ("anthropological" in the European sense) motif of sexuality degrades it to a mere biological question. (The decline of sexual morality and countless marriage breakdowns are connected with this.)

[2] Barowitz, Eugene, Choosing a Sex Ethic, (Schocken Books, New York, 1969). See pp. 53-83.

[3] Ibid. p. 63-83.

> Not that sexuality has no essential relation to the biological ... But the mystery of man consists in the interconnection of personhood and bias, not merely in the sense that bias effects and puts its stamp upon his personality ... but also in the sense that bias is given its character by the personhood of the human being ... But if it is true that the bias of man is not simply identical with the bias of the animal, then the sexuality of man, despite the parallelism in physiological process, is also not simply identical with the sexuality of the animal...
>
> "Whenever sexual chaos, i.e., exchange of partners at will, prevails, we are confronted with a crisis, a breakdown of personal being, of personhood. Therefore, it would be misleading to look for the causes of certain manifestations of sexual deterioration in the destruction of morality ...
>
> "Where such destruction is present it is itself the effect of the deeper crisis. Moreover, it is altogether possible that this crisis in the being of a person may evidence itself only partially. That is to say, the result may be a very specific loss of the ability to see the interconnection of bias and person and this may lead one to degrade one's partner to the status of a mere function-bearer in this one area of sex. Experience teaches that this occurs frequently ...
>
> "For among the conclusions of our study will be the realization that focusing one's intention upon the whole man, upon hsi indivisible unity, does not merely curb sex but rather liberates it, and brings it to fullness. He who seeks only the partial - only the body, only the function, and again possibly only a part of this - remains unfulfilled even on the level of eros, because having lost the wholeness of the other person, he also loses the other person's uniqueness."[4]

And this is what we learn about sexuality from the Bible. In the first place, sexuality is not presented as being evil, or even earthy. The sexual impulse is not to be construed as

[4] Thielicke, Helmut, The Ethics of Sex, (Michigan: Baker Book House, 1964), pp. 35, 44, 101.

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an inexorable and terrible necessity, a passionate talent which were better off buried. It is neither something to hide or deny, but rather is a gift of God. To be a sexual person and to develop in sexuality is ordained of God. It is a spiritual function and has great potentiality for growth in the spiritual dimension. The Biblical view of sex is that of full, free, and responsible sexuality within the circumstances of the relationship of marriage.[5]

The conjugal right to know one's spouse not only includes inter-genital sexual activity but also romantic sex play. The Song of Solomon reveals an explicit account of sexual expression between the Shulamite and her faithful shepherd spouse.[6] His rapturous admiration of her body in intimate nakedness is described with approval.[7] Their caressings are detailed with no hing of prudery or shame. Within the marital privilege, carnal, or physical knowledge of the spouse is a divinely blessed prerogative.[8]

There is an interesting use of the work "know" in the Bible to refer to sexual intimacy. Adam is said to have known Eve, the result of which was the conception of Cain. Many languages use two different words for knowledge: German - wissen and kennen; Latin - scio and cognito; Greek - oida and ginasko;

[5] Feldman, Passim especially chapters 1, 2, 3 and 4.

[6] Song of Songs 7:7,11. See also Midrash Shir Hashirm Rabbah 1:1.

[7] Gordis, p. 102-104

[8] Patai, Raphael, Family, Love and the Bible, (London: Macgibbon and Kee, 1960) p. 149.

and French - savoir and connaitre. The latter of these pairs refers to subjective knowledge by acquaintance, or existential expericnce, as opposed to objective knowledge about something. In the sexual relationship, the ultimate in knowledge by acquaintance is attained. This knowledge between spouses is acknowledged and approved in the Bible.[9]

Furthermore, this knowledge is the presumptive goal of each individual. It is "not good to live alone." The fulfillment of sexuality in the marriage bond is the ordinary course of life.

In summary, the Scriptures give a clear presentation of the approved delight and mature responsibility of sexual expression. It is to be lived in the fullness of its potentiality.

Sexual expression is presented in the Bible not as something barely permissible within the bounds of marrriage, but rather as an approved responsible relationship through which the ultimate in human delight is experienced. In addition this somehow enables man to know God in a full, free way that he might not otherwise be able to attain.[10]

Rabbinic tradition, likewise, denied that the flesh was evil and insisted that sex was good and celibacy the evil

9 Feldman, p. 99

10 Ibid. See also Seymour Siegel, Some Aspects of the Jewish Tradition's View of Sex, (mimeographed material) Passim. See also The Holy Letter, translated by Seymour Cohen (N.Y.: Ktav Publishing House, 0976) pp. 42, 175 and Passim.

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and curse, for indeed a celibate is "one who has committed murder ... and detracted from the image of God."[11] Sex is not sin; sexlessness is sin. Sex is natural and the ideal. Judaism stresses that although God created mankind bisexually. he purportly divided mankind into two sexes - "male and female He created them", thus making it clear that human sexuality was designed by God. The 'maleness' of man and 'femaleness' of woman originated in the mind of God. "In His image" - male and female are alike yet different, with neither sex being inferior nor superior. This bearing of the image of God distinguishes human life from all other forms of life. A serious contemplation of all that this means cannot help but have an effect on sexual attitudes and conduct both before and after marriage, as well as on all other aspects of man-woman relationships. When one is conscious that the partner is made in the image of God, and that one must consider that person in relation to God, self-centered exploitation, manipulation, or domination of a woman or man becomes mockery against God. Marriage, sex and love are holy dimensions within Jewish tradition.

[11] Yevamot 62b; 63b.

CHAPTER VII

In contrast to Jewish considerations of physical unions between male and female, Christianity from its inception denigrated sex and marriage. The celebrated sentence of Francois Mauriac: "Christianity does not give the flesh its rightful place, but supresses it",[1] translates an attitude basic to the Christian milieux as a consequence of St. Paul, St. Augustine and Jansenism.[2] It is therefore erroneous to speak of a 'Judeo-Christian morality'. Dr. Derrick S. Bailey, an Anglican scholar, writes:

> "... the virgin state was accorded a supremacy which the Orthodox Jew would have repudiated as in impious frustration of the purposes of God...
>
> "... The Christian attitude to sexuality in all its aspects was profoundly affected by the ascendancy of Hellenistic dualism over Hebraic naturalism during the first great age of the Church. The Jewish conceptions of coitus, marriage, and children, positive and affirmative within their inevitable limits, were almost entirely overlaid by the Graeco-oriental tendency to regard the good life as one essentially of ataraxia or impassive detachment from all that might impede the rational exercise of contemplation, and to look upon sexuality as something not only emotionally disturbing, but also in some sense defiling and tainted with evil. It is futile to speculate how Christian thought might have developed, in this as in other realms of theology, had the early Church clung more closely to its Hebraic roots."[3]

In Christianity, celibacy is the mark of nobility; marriage was a concession and only for the purpose of procreation without

[1] Quoted in Bailey, Derrick Sherwin, Sexual Relation in Christian Thought, (N.Y.: 1959), p. 100.

[2] Ibid. See also Bullough, Vern Sexual Variance in Society and History, (N.Y.: John Wiley & Sons, 1976), ch. 7 & 8, Passim.

[3] Derrick Sherwin Bailey, op. cit., pps. 5, 100. See also Feldman, chapters 2 & 5.

enjoyment: "The people of this world marry and are married, but those that are thought worthy to attain the other world and the resurrection from the dead, neither marry, nor are married".[4] The ideal in this world and in the world to come is a state of non-sexuality.

A similiar sentiment continued throughout the early epoch of Christianity, and persisted in the Middle Ages. Andrew the Chaplin, a Catholic priest, wrote in the last quarter of the 12th century:

> "Everybody knows that love can have no place between husband and wife. They may be bound to each other by a great and immoderate affection, but their feeling cannot take the place of love because it cannot fit under the true definition of love. For what is love but an inordinate desire to receive passionately a furtive and hidden embrace? But what embrace between husband and wife can be furtive? ..."[5]

The early church fathers were definitely influenced by teachings of Greek philosophy which alleged that matter was evil and that therefore the body was evil - a prison in which the soul was kept in bondage until released at death.[6] Thus, the body came to be regarded as an object of contempt. Many early Christians hated their bodies and treated them with disdain.[7] During the fourth

[4]Luke 20:34. See also 1 Corinthian 7:9.

[5]Andreas Capellanus, The Art of Courtly Love, introduction, translation and notes by J.J. Parry (N.Y.: 1941), p. 100.

[6]Bullough, op cit, p. 159.

[7]Will Durant, The Story of Civilzation, vol.2: "The Life of Greece", ch. xvi, (Simon & Schuster, N.Y.: 1934).

century, hundreds of ascetics sought to escape temptation and punish their bodies by living as hermits. The extremes to which they went in their attempts to deny gratification of "physical lusts" seem incredible.[8] St. Ascepsimas wore so many chains that he had to crawl around on hands and knees; Besarion, a monk, would not even give in to his body's desire for restful sleep - for forty years he would not lie down while sleeping; Macarius the younger sat naked in a swamp for six months until mosquito bites made him look like a victim of leprosy; St. Simeon Stylites spent thirty years atop a sixty-foot pillar; St. Maron spent eleven years in a hollowed-out tree trunk; others lived in caves, dens of beasts, dry wells - even tombs. To suffer the discomfort of filth (most chose not to wash), stench, worms and maggots was considered to be spiritually beneficial and a sign of victory over the body.[9]

For a few of these ascetics, their efforts to eliminate sexual desire seemed to succeed. "Since the time that I became a monk," an old monk told a young man troubled by fantasies of sex, "I have never given myself my fill of bread, nor water, nor of sleep, and tormenting myself with appetite for these things whereby we are fed, I was not suffered to feel the stings of lust."[10] But others, by denying what God had given and by trying to control sexual desire

[8] Bullough, op cit, ch. 8, Passim.

[9] Letha Scanzoni, Why Wait? (A Christian View of Premartial Sex), (Michigan: Baker Book House, 1975), p. 24.

[10] Quoted in Morton M. Hunt, The Natural History of Love, (N.Y.: Alfred A. Knopf, Inc., 1959), p. 107.

by self-effort instead of yielding it to God, found themselves more preoccupied with sex then ever before. St. Jerome was greatly puzzled and distrubed by this, as may be seen in this excerpt from a letter he wrote:

> "I, who from fear of hell, had consigned myself to that prison (a desert wilderness) where I had no other companions but scorpions and wild beasts, fancied myself amongst bevies of dancing maidens. My face was pale and my frame chilled with fasting; yet my mind was burning with the cravings of desire, and the fires of lust flared up from my flesh that was so that of a corpse. So, helpless, I used to lie at the feet of Christ, watering them with my tears, wiping them with my hair, struggling to subdue my rebellious flesh with seven days' fasting."[11]

Many early church leaders ridiculed the natural functions of the body. One extreme case was St. John Chrysostom's letter to a young man who planned to marry a beautiful girl. Chrysostom, in am impassioned plea that strikes us as absurd today, told the young man to think what lay behind the lovely fact and figure:

> "The groundwork of this coporeal beauty is nothing else but phlegm and blood and humor and bile, and the fluid of masticated food ... If you consider what is stored up inside those beautiful eyes, and that straight nose, and the mouth and cheeks, you will affirm the well-shaped body to be nothing else than a whited sepulchre ... Moreover, when you see a rag with any of these things on it, such as phelgm, or spittle, you cannot bear to touch it even with the tips of your fingers, nay you cannot endure looking at it; are you then in a flutter of excitement about the store-houses and repositories of these things?[12]

11 St. Jerome, Epistle xxii (to Eustochium), 7, quoted in Hunt, op cit, p. 108.

12 Chrysostom, "Letters to Theodore," i, 14, quoted in Hunt, op cit, p. 110.

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Augustine thought the process of conception and birth were inherently shameful and sordid. His aversion to the body is shown in a statement in which he speaks with horror of the intermingling of the sexual and excretory organs.[13] He expressed a wish that God had planned some other way for human reproduction - something less "embarrassing than sexual intercourse.

Christian leaders of the first few centuries after Christ actually taught that the sex organs had been personally designed by the devil and that their "horrible appearance" proved it. Others (St. Jerome, St. John Chrysostom, and St. Gregory of Nyssa among them) taught that God's original plan had been for mankind to reproduce in "angelic fashion" (what they meant by this is unclear), but that God had forseen the Fall and therefore had thoughtfully provided men and women with the reproductive organs "of the animals they would become."[14]

In his City of God, Augustine describes in detail what he believes "the act of generation" would have been like in Paradise if Adam and Eve had not disobeyed God.[15]

Closely related to certain church leaders' negative teachings on the body and sex were their low views on women and on the institution of marriage.

Some historians feel that the anti-feminism of early church leaders might have been a reaction against the growing emancipation

13 Simone de Beauvoir, The Second Sex, (N.U.: Alfred A. Knopf, Inc., 1952), p. 156.

14 Daniel Sullivan, A History of Catholic Thinking on Contraception", in What Modern Catholics Think About Birth Control edited by William Birmingham, (N.Y.: Signet Books, 1964), p. 35.

15 Augustine, The City of God, Book xiv, ch. 24 & 26.

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of upper-class Roman women. Others feel it was an outgrowth of a harsh strain of misogyny which had found its way into Judaism but was carried over into Christianity.[16] At any rate, women were considered inferior in mind and body; and men who really wanted to please God were instructed to have as little contact with them as possible. (According to church apologists this was directly opposed to the high position to which Jesus Christ exalted womanhood, and it contradicted Paul's teaching that in Christ there is neither male nor female, for all are one in Him.[17] Instead, woman was called "a scropion's dart", "a dangerous species," "an advanced post of hell," who should be ashamed of her very nature because it was her fault that sin had entered the world.[18] Tertullian, in his essay, On the Apparel of Women, made one of the severest statements ever addressed to woman:

> "You are the devil's gateway: You are the unsealer of that forbidden tree: You are the first deserter of the divine law: You are she who persuades him whom the devil was not valiant enough to attack. You destroyed so easily God's image, man. On account of your desert - that is, death - even the Son of God had to die."[19]

[16] Bailey, op cit. See also Bullough, pp. 183-189.

[17] Galatians 3:28

[18] Scanzoni, op cit, pp. 27-29.

[19] Tertullian, On The Apparel of Women, Book 1, Ch. 1, in The Ante-Nicene Fathers, edited by Alexander Roberts and James Donaldson, (Buffalo: the Christian Literature Co., 1886), Vol. iv, p. 14.

Woman was viewed as an evil temptress, carnal and sensuous, who would divert man's attention from God.[20]

To many theologians, woman was made for one purpose only - maternity. Thus, St. Augustine wrote:

> "If I am asked for what purpose it behooved man to be given this help, no other occurs to me as likely than the procreation of children ... I do not see in what way it could be said that woman was made for a help for man, if the work of childbearing be excluded."[21]

Other later theologians pointed out that woman's being made as a helpmate to man almost surely had to mean for the purpose of reproduction, because they maintained, in any other area a man could be better helped by another man.[22]

If sex was thought to be evil and women were to be despised, it was inevitable that marriage came to be held in low regard.[23]

Virginity was praised with fanatical zeal. The "virgin birth" came to be thought of, not so much as a special sign by God, but rather as a proof of the "contamination" of normal birth processes.[24] The

[20] Sullivan, op cit. p. 35.

[21] From Augustine, De Genesi ad Litteram, vii, 3; and ix, 5, as quoted in Sullivan, op cit, pp. 32 & 33.

[22] Scanzoni, op cit, p. 29.

[23] Ibid.

[24] Ibid, p. 30.

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144,111 Redeemed virgin men "who have not defiled themselves with women"[25] were regarded as positive proof that God delighted in celibacy.[26] It was taught by some leaders that Jews chose His disciples because they were virgin.[27] The death of a spouse was looked upon as God's call to sexual abstinence - a "second chance" for a life of celibacy.[28]

Jerome would not permit married couples to partake of the Eucharist for several days after performing the "bestial act" of intercourse. "A wise man ought to love his wife with judgment, not with passion," he wrote, adding, "He who too ardently loves his own wife is an adulterer."[29] Ambrose made a similar statement and was quoted with approval by Augustine and much later by John Calvin in his commentary on the seventh commandment.[30]

Jerome told husbands, "if we abstain from coitus we honor our wives; if we do not abstain, well - what is the opposite of 'honor' but 'insult'?"[31] There even emerged gradually among some Christians a strange new form of marriage - "spiritual" or "continent" marriage, in which husbands and wives made solemn pacts of virginity, promising to "keep their bodies for Christ" by not having sexual relations, through continuing to live together.[32]

25 Revelation 14:4.

26 Scanzoni, ibid.

27 Scanzoni, ibid. But see Matthew 8:14 and 1 Cor. 9:5.

28 Scanzoni, p. 31.

29 Quoted in Hunt, op cit, p. 115.

30 John Calvin, Institutes of the Christian Religion, vol. i, Book 2, Ch. viii.

31 Quoted in Sullivan op cit, p. 35.

32 Scanzoni, p. 31.

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Early Christians, at lease as represented by the evangelical and patristic writers, sought to attain perfection through renunciation of the world and subjugation of the body.[33] To attain this, every means was to be employed from fasting to solitude, including prayer, mortification of the flesh, and above all, sexual continence. All Christians were expected to meet a minimal level of spiritual achievement, but those desiring to achieve a higher life standard were expected, at lease in practice, to abstain from coitus and even from all association with members of the opposite sex.

This emphasis on sexual asceticism did not originate with the early Christians but represented a strong countercurrent within the classical world to the more sexually positive tradition.[34] In this sense the negative sexuality in Christianity is derived more from paganism than from Judaism, the emphasis on celibacy coming more from Greek philosophy than from the Gospel writers. So influencial have these sex-negative attitudes of the pre-Chrisitian philosophers been that, consciously or unconsciously, they still today determine much of Western sexual thinking. Emil Brunner, one of the most influential theologians to the twentieth century, held that a major task for the scholar of today was to oppose what he described as the false non-Christian views of marriage and sex based

[33] Grant, Fredrick, The Influence of Greek Ideas on Christianity, (N.Y.: Harper, 1957), Passim.

[34] Swain, Joseph, The Hellenic Origins of Christian Asceticism, (N.Y.: 1916), Passim.

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on Hellenistic thinking.[35] Morton S. Enslin put the matter succinctly: "Christianity did not make the world ascetic; rather the world in which Christianity found itself strove to make Chrisitanity ascetic."[36]

[35] Emil Brunner, The Divine Imperative, (Philadelphia: Westminister Press, 1947), p. 364.

[36] Morton S. Enslin, The Ethics of Paul, (N.Y.: Harper,1930), p. 180.

CHAPTER VIII

Though an ascetic anti-feminine tradition can be traced to the beginnings of Greek history, asceticism became more powerful during the Hellenistic period, after the death of Alexander the Great in 323 B.C.E. By that time the old beliefs in the Olympian gods were no longer tenable to the political failure of the Greek world disenchanted many.[1] In their search for certainty in a troubled world, the Greeks turned to other worldly answers and to asceticism. This group of ascetic thinkers encouraged man to forget he was flesh and to regard himself as a separate soul lost and imprisoned in a body.[2] When this spirit-flesh dichotomy infiltrated Christianity, it broke down the psychosomatic unity characteristic of the Old Testament view of man. According to some scholars, these intellectual carryovers sterilized the Christian sense "of creation, perverted its confession of evil, and limited its hopes to total reconciliation to the horizons of a narrowed and bloodless spiritualism."[3]

Plato conceived of love in dualistic terms, sacred and profane, the one occupied with the mind and character of the beloved, the other with the body, Only through the higher

[1] Harrison, Jane, Prolegomena to the Study of Greek Religion, (N.Y.: Meridian Books, 1955), p. 460

[2] Enslin, Morton, op cit.

[3] Ricoeur, Paul, Wonder, Eroticism & Enigma, (Cross Currents, xiv, 1964), p. 135

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love, the non-physical, could true happiness be found. To reach this highest form, there was a step-by-step progression starting with the body of the beloved, then physical loveliness in general, followed by a contemplation of the beauties of the mind and soul, and finally, the pure form or essence of loveliness in itself, absolute, separate, simple, and everlasting, which without diminution or increase or change, was imparted to the ever-growing and continually perishing beauties of all things.[4] Plato compared the two types of love to a charioteer driving two winged steeds, one of which (true love) was a thoroughbred, gentle and eager to bear its diver upward into the presence of the ideal, while the other (physical love) was vicious and refractory, forever bolting in pursuit of physical satisfaction. The discipline of love lay in training the unruly steed to run in harmony with its thoroughbred mate, and if the charioteer proved successful, the team would carry the lover and beloved away from the world of sense to the vision of absolute loveliness that alone made them truly lovely and lovable in each other's eyes. Love, to Plato, became then the mutual attainment of the self-mastery that cured the disease of physical craving.[5] By this explanation, physical love must be inferior to true love, whether homosexual or heterosexual. In his mind, copulation

[4] Plato, Symposium, 211B, translated by W.R.M. Lamb, ed. (London: William Heinemann, 1953).

[5] Plato, Phaedrus, 246-247, translated by Harold North Fowler, ed. (London: William Heinemann, 1953).

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lowered a man to the frenzied passions characteristic of beasts, and he relegated sexual desire to the lowest element of the psyche.[6]

Plato was not alone in emphasizing that the true state of goodness was devoid of physical sexual activity.

Epicurus, the fourth-century B.C. disciple of Democritus as well as the founder of the influential Epicurean school of philospohy, was even more specific in his condemnation of sex. He held that "sexual intercourse never benefitted any man," and argued that the pleasant life could not result from "sexual intercourse with women."[7] The Epicurean school continued as an influential philosophical movement into Roman times, when its best known commentator was Carus Lucretius (98-54B.C.). Lucretius went so far as to assert that sexual desire was a sickness and that neither homosexual nor heterosexual intercourse would cure it. He concluded that the wise man would avoid the "madness" altogether, for it could not in any case be used as a means of reaching the ideal, unruffled life.[8]

The Cynics, a somewhat less influential school than the Epicureans but also dating from the fourth century B.D., held similar ideas. The most notorious adherent of the Cynic school was Diogenes (fourth century B.C.), reputed to have spent his life living in a tub and walking the streets by day-

[6] Ibid, 250-253

[7] Diogenes Laertius, X, cap. 1, 118, 132.

[8] Lucretius, De rerum natura, iv, 1052-1120, translated by W.H. Rouse, ed. (London: William Heinemann, 1959).

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light, lantern in hand, looking for someone worthy to be called an honest man. Diogenes, seeking to reduce man's desires and appetites to those indispensible to life, attempted to renounce all those imposed by civilization. He praised those who refrained from marriage[9]; when asked what the right time for marriage was, he quipped, "For young men, not yet; for old men, never."[10] Diogenes was not necessarily an advocate of celibacy; he condemned marriage, not because sex led men into lust, bur rather because marriage was such a burden.[11] He is, nonetheless, a representative of a strong countercurrent in Greek and Roman thought to the emphasis put on marriage and family by society and an example of the strong undercurrent of hostility to sexuality.

Zeno (340-265 B.C.), the founder of Stoicism, patterned his personal life after that of the Cynics[12] but occasionally modified their teachings for he recognized that man had to live in a material environment. This led him to argue that instincts and emotions were not necessarily antagonistic to right living, provided they were kept in submission to the ruling principle. Salvation was reserved to the sage alone; this left the rest of

[9] Diogenes Laertius, vi, cap. 2, 29

[10] Ibid, X, pp. 118, 132.

[11] M.I. Finley, Aspects of Antiquity, (N.Y.: Viking Press, 1968), p. 94.

[12] Diogenes Laertius, vi, cap. 6

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humanity almost entirely in a state of total depravity, utter folly, and complete unhappiness. Man's only consolation was that there were degrees of virtue and of vice, and men could progress from total depravity to perfect virtue. Attempts at moral improvement were then a virtue.

Sex, to the Stoics, was not bad in itself, since reproduction was not merely of the body but of the soul. The ruling principle of the universe projected itself into the organs of reproduction, just as it did into those of the senses, and the resultant seed was a divine thing, a fragment of a sort of soul plasm torn from the spirits of our ancestors. Reason was not, however, present in the embryo but developed only after birth. In this sense man was like an animal, but what ultimately distinguished him from animals, whose impulses were governed only by desire and aversion, was man's ability to govern himself by reason.[13]

Anything threatening reason had to be closely watched. Immoderation in bodily activites was irrational, because it made man dependent on his own body.[14] The Stoic watchwords were nature, virtue, decorum, and freedom from excess. Marriage was recognized, but passion in marriage was suspect,

[13] A good explanation of this appears in Epictetus, Discourses, translated by W.A. Oldfather, ed. (London: William Heinamann, 1956, 1959, 2 volumes).

[14] Ibid, Encheiridion, 41.

because the only justification for marriage was propagation of the race.

An American sociologist, Philip E. Slater, has argued that the strong denigration of women in Greek literature was due to patriarchal delusion. He held that the rejection of the females was little more than an attempt by the males to deny the influence of the female and reject her influence over the Greek male child and that in reality the Greek woman, denied access to power outside the home, exercised control over the family from within.

> The Greek male's contempt for women was not only compatible with, but also indissolubly bound to, an intense fear of them, and to an underlying suspicion of male inferiority. Why else would such extreme measures be necessary? Customs such as the rule that a woman should not be older than her husband, or of higher social status, or more educated, or paid the same as a male for the same work, or be in a position of authority - betray an assumption that males are incapable of competing with females and an equal basis; the cards must first be stacked, the female given a handicap. Otherwise, it is felt, the male would simply be swallowed up, evaporate, lose his identity altogether.[15]

15 Philip E. Slater, Greek Mythology & Greek Family, (Boston Beacon Press, 1968), p. 8.

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This mother-dominant, father-avoidant culture inevitably, in Slater's opinion, led to male homosexuality.[16]

Slater would also tie in the development of homosexuality with other changes in Greek society, mainly the change from a rural to an urban environment. As Greek society moved from the rural society pictured in Homer to the urban society we associate with fifth-century Athens, the husband absented himself more and more from the home while the woman became more imprisoned within the household, This resulted, he claimed, in the breakdown of the extended-family system and threw an emotional burden on the nuclear family it was not equipped to handle. As ties of blood weakened, there was no corresponding strengthening of the marital bond to fill the gap, and the tensions between the sexes were simply accentuated. The strain on the family was further highlighted by the rising youth culture, represented in Greek literature by the sophists in the fifth century. Thus, to ease the tensions put on them and society, the Athenian males turned to the source of their won pathology, pederasty and misogyny.[17]

Homosexual activity is also described at different times in terms that mean "dishonor," "to outrage," "to commit a shameful act," to carry out infamous conduct," "to be full

16 Ibid. See also Hans Licht, Sexual Life in Ancient Greece, (London: 1932), Passim.

17 Slater, op. cit., pp. 724-774.

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use of the boy.[24] Sexual activity between two older men was technically legal but not approved, even if one partner was a noncitizen.[25] In general, sexual relations between members of the same sex who were citizens does not appear to have been legal except in Elis. Even in Crete and Sparta, where there was more or less open acceptance of such relations, any violation of an ephebe (young man) and any sort of carnal relationship were forbidden and were, theoretically, punishable offenses.[26]

Why the apparent contradiction regarding homosexuality? Some scholars have gone so far as to argue that the Greek talk of boy love was pure idealism with no carnal activity involved.[27] Such a statement ignores, however, the vast evidence pointing to actual sexual relations. Thorkil Vanggaard has argued that the laws, instead of trying to prevent sexual activity, were put on the books because the Greeks attached such great importance to homosexual relations that they wanted to limit the conditions under which people could engage in it. They thus prohibited slaves from having sexual intercourse with free boys; prevented slaves from rubbing boys with oil, a prelude to pederastic relationship; and in general tried

[24] Aeschines, Timarchus, 15-17.

[25] Ibid, 21, 28, 29, 30, 32, 119, 138 and 158.

[26] Xenophon, Lacedaemonians, 2, 12-13, translated by E.C. Marchant, (London: Wm. Heinemann, 1956); Pluarch, Pelopidas. 19, Lives; Strabo, Geography, x, 4, 19-21, (483), translated by Horace Leonard Jones, (London: Wm. Heinemann, 1944).

[27] Hans Licht, ibid.

of impurity, "or "to have despicable habits."[18] An Athens homosexual intercourse was strictly regulated by law;[19] in some cases, it was a crime. Boys still at school, for example, were protected against sexual assaults by law.[20] Male prostitution was also disapproved. Adult male citizens who had been male prostitutes or were still prostitutes suffered from some diminution of their civil rights.[21] Adult Athenians who acted as prostitutes or panderers were excluded from all offices in public life, administrative, judicial, and diplomatic, and were even forbidden to address the assembly. This presumably explains some of the insults in Aristophanes' ploys leveled at orators,[22] And procurers of boys for sexual purposes were liable to punishment.[23] Boys who were prostituted by their parents or guardians are said to have been freed from the normal obligation to maintain their aged parents or guardians; the guilty parent or guardian was also liable to be treated as a panderer and punished, as was the person who paid money for the

18 Eglinton, J.Z., Greek Love, (N.Y.: 1964), pp. 176, 307-308.

19 For a discussion of the law, see James Cleugh, Love In Ancient Greece, (N.Y.: 1962), pp. 281-291.

20 Aeschines, Timarchus, 6-12, translated by Charles Darwin Adams (London: William Heinemann, 1911).

21 Ibid, 19-20

22 See Lacey, W.K., The Family In Classical Greece, (London: 1968), pp. 303-304, n. 42.

23 Aeschines, Timarchus, 13-14.

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to elevate the relationship by limiting it to free men and to free men and to free adolescents.[28] To support his view, he quotes Plutarch's statement that Solon, the great sixth-century lawgiver of Athens, placed pederasty "in the category of what was honorable and worthy, thus in a way prompting the worthy to that which he forbade the unworthy."[29]

The answer seems, however, simpler. The Greeks tolerated (and perhaps encouraged) homosexual relationships as long as they did not threaten the oikos ("family"). Thus exclusive homosexuality was discouraged, because it was essential that a man marry and have children. Homosexual prostitution for citizens was discouraged, because this degraded a free man, just as it did a free woman, and threatened the family. What kind of homosexuality was permissible? Solon, the lawgiver, poet, and perhaps also a pederast, speaks in some surviving verses about loving a "lad in the flower of youth, bewitched by thighs and by sweet lips."[30] It was just this type of relationship that was acceptable. From the surviving evidence, it seems that the submissive role in a homosexual

28 Vanggaard, Thorkil, A Symbol & Its History in the Male World. (London: 1972), pp. 23-24, 26.

29 Plutarch, Solon, 1, 3, Lives.

30 Plutarch, The Dialogue On Love, in Vol. ix of the Moralia, 751C, translated by F.C. Babbitt, W.C. Helmhold, P.H. de Lacey, E.L. Minar, et al, eds. (London: William Heinemann, 1927-1969.

love affair was tolerated (perhaps encouraged) for a brief period in the young man's life, from the time he and his hair cut (about 16) through his military training and for a brief period thereafter until he was fully accepted as a citizen.[31] Then he was supposed to assume a heterosexual lifestyle, marry, and beget children. Later in life he was supposed to take a young adolescent under his protective custody, and the cycle was repeated.

The Greek word paiderasty (anglicized as pederasty) is derived from pais, "a boy," and erastes, "a lover," and in its ideal sense denoted the spiritual and sensual affection felt by an adult for a boy who had reached puberty. It is impossible to indicate the number of homosexuals in Greek society or to estimate how many of the homosexual relationships went from idealized affection to actual sex. All we can do is look at the nature of love and speculate how this might have affected homosexuality. Plato in his Symposium put the case for homosexual love very effectively:

> Thus love is by various authorities allowed to be of most venerable standing; and as most venerable, he is the cause of all our highest blessings. I for my part am at a loss to say what greater blessing a man can have in earliest youth than an honorable lover, or a lover than an honorable favorite. For the guiding principle we would choose for all our days, if we are minded to live a comely life, cannot be acquired either by kinship of office or wealth or anything so well as by Love. What shall I call this power? The

shame that we feel for shameful things, and ambition for what is noble, without which it is impossible for city or person to perform any high and noble deeds. Let me then say that if a man in love should be detected in some shameful act or in a cowardly submission to shameful treatment at another's hands, would not feel half so much distressed at anyone observing it, whether father or comrade or anyone in the world, as when his favorite did; and in the self-same way we see how the beloved is especially ashamed before his lovers when he is observed to be about shameful business. So that if we could somewise contrive to have a city or an army composed of lovers and their favorites (as at Thebes), they could not be better citizens of their country than by thus refraining from all that is base in a mutual rivalry for honor; and such men as these, when fighting side by side, one might almost consider able to make even a little band victorious over all the world. For a man in love would surely choose to have all the rest of his host rather than his favorite see him forsaking his station or flinging away his arms; sooner than this, he would prefer to die many deaths: while, as for leaving his favorite in the lurch, or not succouring him in his peril, no man is such a craven that Love's own

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influence cannot inspire him with valour that makes him equal to the bravest born, and without doubt what Homer calls a "furry inspired" by a god in certain heroes is the effect produced on Love's peculiar power.[32]

[32] Plato, Symposium, 178C, translated by W.R.M. Lamb, (London: William Heinemann, 1960).

CHAPTER IX

If Plato represents one aspect of Greek thought, it seems that at least certain segments in Greek society found the most characteristic and noble form of love in the passionate friendship between men, or more precisely between the adult male and an adolescent one. The perfect lover for the adult was a male between 15 and 19. Sexual intimacy in itself was not the intent of the ideal, but to claim that sexual relations never resulted is to overlook the historical evidence and man's biological and psychological nature. Both the Jews[1] and the Romans[2] believed that pederastic love and athletic nudity were the distinguishing marks of Hellenism, the life style in which the Greeks contrasted most sharply with non-Greeks.[3]

Why did the Greeks accept homosexuality as natural? Elsewhere in this book it is reported that Plato had one of the participants in his Symposium explain that mankind had originally been different and in fact had been composed of individuals with four legs and four arms whom the gods had divided into two people. Some of these double people had, however, been composed of both male and female elements, and after they had been separated,

[1] ii Maccabees, iv, 9-16.

[2] Cicero, Tusculan Disputations, iv, 70, (translated by V.E. King, London: William Heinemann, 1960.

[3] See Herodotus, History, i, 135, translated by A.D. Godley, (London: Wm. Heinemann, 1946); and Lucian, Amores, 35, translated by M.D. Macleod (London: Wm. Heinamann, 1967).

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they spent their lives trying to get back together. Thus, homosexual as much as heterosexual love was part of nature's plan.[4] Aristotle offered a somewhat more scientific answer:

> "Why is it that some persons find pleasure in submitting to sexual intercourse, and some take pleasure in performing the active part, and others do not?... (if a man) has a superfluity of semen, it all collects there (in the region of the fundament); and so, when desire comes upon him, the part in which it is collected desires friction. This desire may be due to diet or to the imagination. When desire is stirred from any cause, the breath collects and secretion of this kind flows to its natural place. If the secretion be thin and full of air, when the breath finds its way out the desire ceases (just as the erection in boys and other persons sometimes ceases without the discharge of any moisture); and the same thing happens if the moisture dries up. But if neither of these things occurs, the desires continue till the one or the other of them take place. But those who are effeminate by nature are so constituted that little or no semen is secreted where it is secreted by those who are in a natural state, but it collects in this part of the body. The reason of this is that they are unnaturally constituted; for, though male, they are in a condition in which this part of them is necessarily incapacitated. Now incapacity may involve either complete destruction or else perversion; the former, however, is impossible, for it would involve a man becoming a woman. They must therefore become perverted and aim at something other than the discharge of semen. The result is that they suffer from unsatisfied desires, like women; for the moisture is scanty and has not enough force to find its way out and quickly cools. When it finds its way to the fundament only, there is a desire to submit to sexual intercourse; but if it settles both there and in the sexual organs, there is a desire both for performing and submitting to the sexual act, and the desire for one or other is greater as more semen is present in either part. This condition is sometimes the result of habit; for men take pleasure in whatever they are accustomed to do, and emit the semen accordingly.

[4] Plato, Symposium, 1913E - 192D.

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> They therefore desire to do the acts by which pleasure and the emission of semen are produced, and habit becomes more and more a second nature. For this reason those who have been accustomed to submit to sexual intercourse about the age of puberty and not before, because recollection of the past presents itself to them during the act of copulation and with the recollection the idea of pleasure, desire to take a passiver part owing to habit, as though it were natural to them to do so; frequent repetition, however, and habit become a second nature. All this is more likely to occur in the case of one who is both lustful and effeminate."[5]

From this rather matter-of-fact explanation, it seems that homosexuality was fairly widespread in Greece at the time of Aristotle and accepted for at least some people as suitable to their nature. Unlike the ancient Middle East, where references to homosexuality appear very early in the history of the people and only later is it described with some hostility, in Greece there is little evidence for the early existence of homosexuality and much for its later appearance. There is, for example, no direct mention of homosexual love in Homer, although there may be hints in Homer's references to Zeus and Ganymede[6] or to Achilles and Patroclus.[7] Either the oral epic originated in an age in which the Greek concept of pederasty had not developed or Homer decided to ignore a well-known institution of his day. Probably the

[5] Aristotle, Problemata, iv, 26 (879B-880A), translated by E.S. Forster in Vol. 7, The Works of Aristotle, W.D. Ross, ed. (Oxford, England: Clarendon Press, 1927).

[6] Homer, Iliad, xx, 231 ff; v, 266.

[7] Ibid, xviii, 22-34, 80-93; xxiii, 93-101, 211-225; xxiv, 3-12.

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answer is more the former than the latter, although some of the relationships seem to be described more in the language of passion than friendship.[8]

Despite the lack of direct references to homosexuality in Homer, there are numerous references in other accounts of Greek mythology of loves between persons of the same sex, such as Zeus and Ganymede, Heracles and Iolaus (or Hylas), and Apollo and Hyacinth, to claim that it was tolerated, if not institutionalized, fairly early in Greek thought. Jane Harrison, an earlier ivestigator of Greek religion, complained that the Olympian gods were so detached from their roots in the rich soil of popular religion and everyday magic that they often appear to us as remote, two-dimensional, trivial figures.[9] In spite of the justification of such criticism, this bloodless collection of images still had deep social-psychological significance. This is because the Olympian deities received a partial transfusion from the emotional concerns of the civilized Greeks, who used them as a child uses play-therapy materials - reading their own inner preoccupations into them.

The story of Orpheus, best known for his love of Eurydice, also has symbolic meaning for homosexuality. According to the

[8] See John Addington Symonds, Studies of the Greek Poets, (N.Y.: Harper, 1879), Vol. 1, p. 95.

[9] Jane Harrison, Themis: A Study of the Social Origins of Greek Religion, (reprinted, New Hyde Park, N.Y.: University Books, 1962), pp. 445-479. This study was first published in 1912.

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Latin poet Ovid, a late source (1st century B.C), when Orpheus returned to his Thracian mountain home after his failure to rescue Eurydice from the underworld, he rejected all love of woman, to demonstrate his faithfulness to his wife. He did not, however, remain celibate but instead turned to the love of boys, since these love affairs could not be regarded as lessening his wedded faithfulness. Not only did he become devoted to pederasty, but also his songs glorify boys.[10] Similar themes of homosexual affairs of the Gods appear much earlier, as early as the Greek lyric poets of the late seventh and early sixth centuries B.C.

Some nineteenth-century scholars, intrigued by the increasing references to homosexuality, believed a change in Greek attitudes was brought about by the migration of the Dorians into the Greek peninsula in the eleventh century B.C.[11] Though the Dorians might well have practiced homosexuality, the problem then becomes explaining why the Dorians were any more in favor of homosexuality than the other migrants to the Greek peninsula. The English historian and scholar of homosexuality, John Addington Symonds, believed that the Dorians were more inclined to homosexuality because they entered Greece in warrior bands, and

they entered Greece in warror bonds, and

10 Ovid, Metamorphoses, x, 86-119, translated by Frank J. Miller, ed. (reprinted, London: Wm. Heinemann, 1966).

11 See K.O. Muller, Die Dorier, Vols. 2 and 3 of Geschicten hellenisher stamme und stadte (Breslau: J. Max, 1820-1824, 3 vols), Vol. 2, pp. 289-298; and E.E. Bethe, "Die Dorishe Knabenliebe, ihre Ethik und ihre Idee", Rheinisches Museum fur Philologie, lxii, (1907), pp. 438-457.

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> "Fighting and foraging in company, sharing the same wayside board and heathstrewn bed, rallying to the comrad's voice in outset, these men learned the meanings of the words Phileter (lover) and Parastates (comrad). To be loved was honorable, for it implied being worthy to be died for. To love was glorious, since it pledged the lover to self-sacrifice in case of need. In these conditions the paiderastic passion may well have combined manly virtue with carnal appetite, adding such romantic sentiment as some stern men reserve within their hearts for women."[12]

Within the military system, pederasty was linked with valor and courage and said to be justified by the gods. The older man was expected always to make an effort to stand out in the eyes of his beloved, and the younger man likewise was to show himself worthy of his lover by emulating his example.[13] It was perhaps inevitable that there would be rivalry for the love of a desirable boy, Greek history recording a number of crimes involving such competition.[14] Heroic deeds were, moreover, performed in the name of love. Several tyrants were assassinated and several revolts were said to have been fomented as a result of unhappy love affairs. Plutarch, in explaining why so many lovers took issue with the tyrants over beautiful, well-born youths, stated that:

[12] John Addington Symonds, A Problem In Greek Ethics, (privately printed, 1901), pp. 16-17.

[13] Plato, Phaedrus, 329 AB, translated by Harold North Fowler, (London: Wm. Heinemann, 1953); Plato, Symposium, 178C, 192CD; Xenophon, Symposium, viii, 26; and Plutarch, Amatorius, 760-763.

[14] Bullough, Vern, "Homosexuality as Submissive Behavior: Example From Mythology" in the Journal of Sex Research, Vol. ix, (1973).

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"They had at first no quarrel with their tyrants, though they say that these were acting like drunkards and disfiguring the state, but when tyrants tried to seduce their beloved, they spared not even their own lives in defending their loves, holy, as it were, and inviolable shrines."[15]

Adding to the acceptance of homosexuality was the institutionalization of pederasty within the educational system. According to Plato, the purpose of homosexual love was to "educate".[16] The Greek educational system was a closed masculine society excluding women. In fact, they were excluded not only physically but also ideologically, for the purpose of education was to inculcate manliness, the characteristics most associated with the masculine sex. To Socrates, for example, love represented an aspiration toward a higher perfection, an ideal of excellence, and he was most concerned with inculcating certain values into the young male by having him emulate a suitable adult. Education, after the primary grades, implied an intimate relationship, a personal union between a young man and an elder who was at once his model, guide, and initiator - a relationship on which the fire of passion smoldered and burned. The admiration of the younger partner for the older and the need and desire of the older to gain the admiration and affection of the younger were believed to be the stimulus for the best type of education, since it aroused ardent and active involvement. Thus, the object of love,

15 Plutarch, Amatoriae, 760C.

16 Plato, Symposium, 209C.

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in Plato's terms, was to procreate and beget the sphere of the "beautiful".[17] Idealized love was distinguished from sensual desire, the opposite of true love. Moreover, the Greeks showed little toleration for adults who took the passive role in any homoerotic relationship. Still, the love realtionship entailed the teaching of the young, an attitude of docility and veneration by the young being encouraged.

The relationship between the adult and the adolescent boy was maintained by daily association, personal contact and example, intimate conversations, a sharing in more or less common life, and the gradual initiation of the younger into the social activities of the older men - the club, the gymnasium, and the banquet. In this education, the family was more or less ignored. The mother was in the background; her duty was to look after the babies and supervise the training of girls, but at age 7, boys were removed from her hand. The father, at least those belonging ot the aristocracy, the group on which most of our information is based, was a citizen and a man of politics. Fathers paid little attention to their own male children but instead left their upbringing to an adult male whose relationship as lover of the son was "union for closer" than what bound parents to children.[18] Public opinion, and in some cases even the law, held the lover morally responsible for the developemnt of his beloved.

[17] Ibid, 207BC.

[18] Ibid, 209C.

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Pederasty came to be considered the most beautiful, the most perfect form of education.[19]

In lyric poetry, the most direct expression we have of the personal state of mind and feeling of the ancient Greeks, homosexual love occupied a major place. Unfortunately, only small fragments of the lyric poets have survived. Among the earliest are some fragments of Theognis of Megara, who lived and wrote in the sixth century B.C. Some 158 lines of the surviving fragments are devoted to the poet's favorite, Cyrnus, and though some have argued that these lines are apocryphal or derive from a later data, there is no questioning that his elegies included not only fatherly advice to his young friend but also the plaintive laments of a lover for him.[20] Pindar, regarded as the greatest of all Greek lyric poets, recounts his love in his Ode to Zenkorates; tradition has it that he died in the arms of his lover Theoxenus, whom the gods have given him as the most beautiful thing in the world.[21] Of the 30 idylls preserved under the name of Theocritus, who lived about 310-245 B.C., no fewer than 8 are exclusively devoted to the love of youths, and there

[19] Xenophon, Lacedaemonians, 2, 13.

[20] See T.F. Lucas, Greek Poetry for Everyman, (Boston: Beacon Press, 1951), pp. 248-254; and Alistair Sutherland and Patrick Anderson, Eros: An Anthology of Friendship, (London: Anthony Blond, 1961), pp. 35-36. For a more scholarly version see Lyra Greaca, translated by J.M. Edmonds, ed., (London: Wm. Heinemann, 1934), Vol. 1.

[21] Pindar, Odes, Pythia 6, translated by Richard Lattimore, (Chicago: University of Chicago Press, 1947), pp. 74-75. Pindar can also be found in the Loeb Classical Library.

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and there are many others.[22] One chief source is the so-called Palatine Anthology, poems of some 320 different authors collected in the tenth century A.D. by Constantinus Cephalas. Constantine's anthology contained poems from as early as the seventh century B.C. up to his own time. The twelfth book of the anthology, almost exclusively devoted to the love of youths, includes 258 epigrams, that is, short elegiac poems, for a total of 1300 lines. The poems in this section were attributed by Constantine to Straton, a second-century A.D. writer, but in addition there are numerous other poems devoted to homosexual love.[23]

Several of the surviving fragments of Sappho's poems imply feeling and intimacy with many women, Sappho having often been identified as a homosexual. Her birthplace at Mytilene in Lesbos has led to female homosexuals' being called lesbians, and at various times in history the term sapphic or sapphist has also been applied to women erotically attached to other women. In spite of this popular assumption, even in ancient times there were doubts about whether Sappho's love implied carnal activity, and there still remains a group of scholars who maintain she was a woman of absolute virtue.[24] Some have even gone so far as to claim there were two Sapphos, to account for the contradictions in her life, including her suicide

22 See Sutherland and Anderson, op.cit., pp. 29-73; PogeyCastries, op.cit., pp. 273-274. The poet with references to homoerotic love would include Solon, Phanocles, Anacreon, Pindar and Alcaeus, among others.

23 See the Greek Anthology, translated by W.R. Paton, ed. (London: Wm. Heinemann, 1918-1920), 5 vols.

24 Jeanette H. Foster, Sex Variant Women in Literature, (London: Fredrick Muller, 1958).

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(recorded by Ovid) over her rejection by her handsome young (male) lover.[25] The only way for the modern reader to arrive at the true Sappho is through the fragmentary remains of her poems, where, in spite of marriage and motherhood, opportunities for a second husband, and a number of conventional verses, her love ideal if female. In addition to Sappho, the names of two other principals of female schools are known, Andromeda and George, but the Greeks never held woman's education to be important, except where it led to moral poise, better hygiene, and a knowledge of the domestic arts.[26]

In Greek literature, the terms used to refer to female homosexuality include tribad, meaning "to rub", hetairistria and dihestairistria. Both of the latter terms are derived from hetaira, referring to prostitutes. The Greek writer Lucian, in his Dialogues of Courtesans, implied an association of lesbianism with prostitution, and in his account of Megille, he included a discussion of female homosexuality.[27] Plutarch also observed that female homosexuality was frequent, at least in Sparta,[28] but there are only occasional literary references, perhaps because there are almost no women writers from the Greek period.[29] The male writers generally ignored the subject, as they did most of women's activities. Licht, in his study of Greek sexual mores,

25 Ovid, Heroides, Spistle 15, Sappho to Phaon, translated by Frederick Muller, 1958).

26 Bullough, op. cit., pp. 283-288.

27 Lucian, Dialogues of Courtesans, v., (289-292).

28 Plutarch, Lycurgus, 18.

29 Licth, Hans, Sexual Life In Ancient Greece, (London: 1968), pp. 316-328.

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often equated female homosexuality with masturbation or use of artificial phalluses, but neither of these activities is particularly homosexual.[30] Female homosexuality probably existed in Greece, but like the Greek women themselves, was rarely mentioned. It was permitted, provided it did not threaten the oikos.[31]

In summary, the Greeks accepted and cultivated the human body, deemed sex a source of pleasure, had a double standard, and tolerated most sexual activity, as long as it did not threaten the survival of the family. They had rigidly circumscribed roles, but occasional crossing of roles was permitted in religious festivals and on other occasions through crossdressing. The theatre also allowed some males to impersonate women for longer periods. Homosexuality was widespread and accepted. The Greek military ideal had early emphasized the importance of close male friendships, these having been further encouraged by the low status of women in society. This had also thrown women more upon their own resources for companionship.[32] The Greek educational system institutionalized these homosexual relations, and though the pederastic relationship was in theory Platonic, ideal and reality were often quite different, as the Greeks themselves recognized. Many of the heroic models for the Greeks tended to have had homosexual experiences, and these justified actual homosexual practices. At any rate, pedophilia came to be associated with the Greeks, and part of

[30] Ibid.

[31] Eglinton, J.Z., Greek Love, (New York: 1964).

[32] Bullough, Vern, The Subordinate Sex, (Illinois: 1973), pp. 6-11.

the Hebrew and the later Christian attitudes can be interpreted as a reaction to Greek attitudes toward homosexuality.[33]

By the first century B.C., the center of philospohical speculation had shifted to Alexandria in Egypt; here the philosophical attitudes came to exercise great influence on the religious outlook that in turn so affected Christianity. Particularly influential in this respect was Philo, an Alexandrian Jew born in the last quarter of the first century B.C. As a Jew, Philo accepted the Jewish concept of the divine command to procreate and replenish the earth. From this belief it followed that marriage was blameless and worthy of high praise, but Philo, heavily influenced by the ascentic philosophies of his time, held that sex in marriage could be justified only if the goal of the husband and wife was the procreation of legitimate children for the perpetuation of the race. In short, sexual intercourse should take place only when there was hope for legitimate offspring. Philo described as mere pleasure lovers those who mated with their wives, not to beget children, but like "pigs or goats" in quest of sexual enjoyment.[34] His hostility to sex without possibility of progeny led him to state that those who mated with barren women were worthy of reproach, for in their seeking after mere pleasure, "they destroyed

[33] Marrou, H.I., A History of Education In Antiquity, (N.Y.: 1956), p. 142.

[34] Philo, On The Special Laws (De specialibus legibus), iii, 113, translated by F.H. Colson, ed. (London: William Heinemann, 1958).

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the procreative germs with deliberative purpose."[35] Predictably, all other kinds of nonprocreative sex, including homosexuality, were condemned by those adopting Philo's reasoning.

Like Plato and others, Philo thought of sex in dualistic terms. The highest nature of man was asexual, an imitation of God, and only the irrational part of the soul contained the categories of male and female and existed in the realm of the sexual. Philo argued that the original sin of Adam and Eve had been the result of sexual desires, the desire for bodily pleasures, and that such pleasures were the "beginnings of wrongs and violation of the law".[36] Philo believed that, for the sake of sex, mankind had exchanged a life of immortality and bliss for one of mortality and wretchedness.

Since Philo associated the fall of man in the Garden of Eden with sex, and males usually equated sex with women, Philo could logically and easily blame woman. Femaleness, for him, represented sense preception, the created world, and maleness represented the rational soul. Progress meant giving up the female gender, the material, passive, corporeal, and sense perceptible, for the male, active, rational, and incorporeal, more akin to mind and thought.[37] Women could do best

[35] Ibid, iii, 34-36.

[36] Philo, On The Creation, 69-70. 151, 162, translated by F.H. Colson and G.H. Whittaker, eds. (London: Wm. Heinemann, 1963); Philo, Questions and Answers on Genesis, i, 40, translated by Ralph Marcus, ed. (London: Wm. Heinemann, 1961).

[37] Richard A. Baer, Jr., Philo's Use of the Categories Male and Female (Leiden, Netherlands: E.J. Brill, 1970); p. 46.

by remaining virgins,[38] the words virgin, virginity, and every-virginal occurring continually in Philo's more positive references to women.

Since anything passiver or sense perceptible was wrong, Philo particularly abhorred male homosexuality. He regarded the male homosexual as enslaved to irrational passion and infected with the female disease.

> "In former days the very mention of it was a great disgrace, but now it is a matter of boasting not only to the active but to the passive partners, who habituate themselves to endure the disease of effemination, let both body and soul run to waste, and leave no ember of their male sex-nature to smoulder ... These persons are rightly judged worthy of death by those who obey the law, which ordains that the man-woman who debases the sterling coin of nature should perish unavenged ... And the lover of such may be assured that he is the subject of the same penalty."[39]

One of Philo's objections was that the homosexual person was like a bad husbandman in letting

> "...the deep-soiled and fruitful fields lie sterile, by taking steps to keep them from bearing, while he spends his labour night and day on soil from which no growth at all can be expected."[40]

For him homosexuality was a blatant contradiction of man as he should be, for the homosexual was not guided by the sovereign,

38 Ibid, p. 51.

39 Ibid.

40 Ibid.

active, masculine mind. Though the soul or mind of man must become passive in relationship to God, for a man to become effeminate or womanish in his relations with society, and particularly within the sexual sphere, was wrong and had to be totally rejected.[41] He had nothing to say about female homosexuals as such.

Philo's hostility to homosexuality was also associated with his hostility to sexual pleasure in general. This is most obvious in his justification of circumcision, which he regarded as one way of excising the "pleasures" that bewitched the mind.

> "For since among the lower lure of pleasure the palm is held by the mating of man and woman, the legislators thought good to dock the organ which ministers to such intercourse, thus making circumcision on the figure of the excision of excessive and superfluous pleasure, not only of one pleasure but of all the other pleasures signified by one, and that the most imperious."[42]

Philo himself seems to have had no immediate disciples of any note and no direct influence on the Jews of his time, but he had considerable influence on Christianity. More immediately influential were those philosophers collectively known as the neo-Pythagoreans, and neo-Platonists. The neo-Pythagoreans, while harking back to the original distinction drawn by the ancient Pythagoreans about the good and the divine and the evil and the earthly, were also

41 Philo, On The Special Laws, iii, vii (37-42); and Baer, op. cit., p. 58.

42 Philo, On The Special Laws, i, ii (9).

strongly influenced by Plato, Aristotle, and the Stoics. In fact, from the first, Plato probably exerted as much influnce as Pythagoras, and as this influence grew, neo-Pythagoreanism was modified into neo-Platonism.

In this setting of ascetic thinking Christianity was born and thrived. Though the Christians never quite adopted absolute celibacy, since there was such strong Biblical justification for marriage, they solved their conflict by recognizing marriage as a good but claiming celebacy as a higher good. Through this concept of the good versus the better, the Church Fathers managed to uphold the superiority of the virgin state and the higher merit of continence without yielding to the thoroughgoing dualism that would have denounced marriage as an evil. Nevertheless, many early Christian formulators regarded matrimony as a concession to the inordinate desires of fallen humanity, a refuge for those weaker souls who could not bear the discipline of celibacy. As might be expected, much of the patristic literature dealing with sexual matters emphasized the importance of celibacy over marriage and of widowhood over digamy (remarriage after the death of the first partner).

All the above notwithstanding, one must be cautious in evaluating New Testament passages. It is as easy to over-generalize about the New Testament as it is about the Torah. There is an attempt today on the part of prominent Christian theologians to dispel the notion that the New Testament and Christianity considers the flesh evil, sex bad, and marriage but a concession to man's weakness. In fact, recently sex has been labelled "God's ingenious gift." It is obvious that among Catholic theologians and educators, there has been an unmistakable impulse toward greater freedom. It has surfaced anew

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in a four-year study, commissioned by the Catholic Theological Society fo America, whose membership includes almost all teachers of religion in Catholic seminaries and universities. "Human Sexuality: New Directions in America Catholic Thought" - though not officially approved by the Society - is dramatic evidence of fresh currents in the Catholic community.

Written by three priests, a nun and a Catholic layman with credentials in law and psychology, the report describes sex as "God's ingenious gift." It takes its inspiration less from established doctrine than from the strivings of individuals for "creative growth." The values for which it speaks woe much to humanist psychology: sexual behavior, it says, should be "self-liberating," "other-enriching" "honest", "faithful", "socially responsible," "life-serving" and "joyous."

Whereas the Church has traditionally taught that some sexual practices, such as adultery, are immoral, the report suggests that under certain circumstances, extra-marital affairs may be morally acceptable - though it is critical of the "swinging single" phenomenon. Artificial contraception and even sterilization are also given conditional approval: "Responsible parenthood demands readiness to acknowledge that there are situations and conditions where it would be irresponsible and hence immoral to beget children." In contradiction of a 1976 decree of the Vatican, occasional masturbation is viewed as "statistically, psychologically and morally normal". The report is tolerant of homo-sexuality and not overly concerned about pornography's effects on most adults.[43]

[43] See especially Declaration On Sexual Ethics, 1977, Publications Office, U.S. Catholic Conference.

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Other theologians have pointed out that in the New Testament, Christ is likened to the husband and His church, the bride. The conjugal relationship is revealed in analogy as that between Christ and the redeemed. Many interpreters presume that the explicit sexual play and union in the Song of Solomon is a directly prophetic allusion to the Christian church and its Lord as revealed in the New Testament. In the book of the Revelation the literary figure is used to describe the rapture of the church in a seeding feast as the Lamb of God takes His bride, the Church. Sexual expression is presented in the Bible not as something barely permissible within the bounds of marriage, but rather as an approved responsible relationship through which the ultimate in human delight is experienced. In addition, this somehow enables man to know God in a full, free way that he might not otherwise be able to attain.

> "The theory and application of a Biblical view of sexuality is not possible tedious or boring. Each year is a new opportunity to investigate the ever new mystery of one's mate, built upon the pleasant fund of prior knowledge and experience. It is for this reason, perhaps, that Paul writes to Timothy that church leaders ought to be men of one wife. Warning against polygamy would be unnecessarily redundant; he probably meant that they should be married only once. Perhaps the attempt to form more than one union in one person's lifetime would affect the personal growth and insight so as to preclude meeting the great demands of the highest offices in the Kingdom task.
>
> "In any case, the experience of a Christian sexuality is a means of growth in grace for this life, and a preparation for the life to come.
>
> "Denial of sexuality is in effect to accept the secular view of sex. It is to consider it base, "fleshly," and in opposition to the spiritual life. Unbelievers hold a similar view of the biological essence of sex while denying God. Christians have tended to regard the privacy of the sexual act as the means of hiding from view the stigma of his expression of lust; in a sort of vain hope of being secluded from God and neighbor. However, the privacy of the conjugal

> act is not in order to conceal one's participation in an earthy, demeaning act, but rather to respect its holiness. Just as signigicant worship is essentially private, so is the exercise of this divine gift to be a cloistered communion. In a guarded way, I would say that there is a significant parallel with the entering of the high priest into the holy of holies on the day of atonement. His act was neither sinful nor loathsome, but rather a high and holy response to God's instructions. It was kept from the public eye because of its sacramental character.
>
> "Sexuality is a unique function whereby the Christian may grow in grace and in the knowledge of the Lord."[44]

Today there is even an attempt to better understand the sexual attitude of Paul. In fact, it is argued that the human body is given great honor in the New Testament - the Incaranation itself being perhaps the most manifest proof of this. The body is "for the Lord".[45] It is to be yielded to Him as a living sacrifice,[46] with every member - every single part - of the Christian's body actively surrendered to Christ to be used by Him and for Him as an instrument of righteousness, not an instrument of sin.[47] This Biblical attitude is a far cry from that of the ascetics who thought God was pleased if they neglected or punished their bodies. It is the antithesis of misguided notions of men like Origen who felt that self-mutilation

[44] Tweedie, Jr., Donald F., The Christian and Sex, pp. 69-71.

[45] 1 Corinthians 15:35-57.

[46] Romans 12:1, 2.

[47] Romans 6:11-14.

(castration) was the surest way to deal with sexual desire.

Many people blame such asceticism on the Apostle Paul's writings.[48] But where this is true, it is because certain of his statements have been taken out of context or used to the exclusion of many other passages. Actually, Paul warned against asceticism and spoke harshly of those who would forbid marriage and certain foods, all of which were good gifts given by God.[49] Paul spoke of the marvelous way God has designed the human body, with a special purpose for every part.[50]

Paul had instructed Christian husbands and wives that sexual intercourse was a normal part of married life and should not be neglected except for certain times when both husband and wife agreed to abstain for a limited period in order to engage in a special time of prayer (just as food is abstained from in a special period of fasting). Immediately after this, they were to resume sexual relations.[51] This passage stresses an equality in the relationship and makes it clear that both the husband and the wife have natural desires to express their love through coitus, and neither one should refuse the other but rather look upon his or her body as belonging to the spouse.

In recent years, increasing numbers of Christian Bible scholars have been impressed that God chose to devote an entire book of the Bible

[48] Scanzoni, Letha, op. cit., p. 25.

[49] See 1 Timothy 4:1-5 and Colossains 2:20-23, for example.

[50] 1 Corinthians 12:18-24.

[51] 1 Corinthians 7:3-5.

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to the exaltation of married love - The Song of Solomon. They do not view the erotic symbolism of the book as a cause for embarrassment or apology, but rather as an indication of how God regards sex in wedlock - that He made it to be something beautiful and pure and good. But throughout the ages, puzzled theologians (who seemed unable to see sex in this light and apparently found it difficult to believe that God could either!) came up with all sorts of explanations for the book's inclusion in the Scriptures. The favorite interpretation inferred that it had nothing at all to do with human love but was intended solely as an allegory of God's dealings with Israel or of Christ with His Church (or with the soul of the believer) and therefore referred only to a mystical, spiritual love.

A position gaining favor among Christians today who are seeking to learn God's will in regard to marriage is that God intended The Song of Solomon to portray love as He planned it for husband and wife. Speaking of this, Meredith G. Kline has written:

> "This view, though only in modern times enjoying ecclesiastical respectability, can be traced as far back as the evidence for this history if interpretation goes. And why should the Church stumble at the presence in her inspired canon of a song extolling the dignity and beauty of human love and marriage? Considering how large the subject looms in the attention of men, had it not been remarkable if there were not such an extended treatment of it in the volume God has given us for 'reproof, for correction, for instruction in righteousness'? And all the more so when we think how sordid is the world's attitude towards the matter and how dim had become even the Old Testament saint's apprehension of the paradisaic ideal of marriage ... The Song confronts us with love as it was in the beginning and it lets us hear again the divine marriage benediction first addressed to the lover and his beloved in man's home primeval.[52]

52 Genesis 1:28a.

> What the incarnate Word did for the sanctity of marriage by His presence at the Cana wedding, the written Word does by dwelling with joy upon conjugal love in the Song of Songs."[53]

Many years earlier, John Richard Sampey sounded a similar note in The International Standard Bible Encyclopedia:

> "Even if Canitcles is merely a collection of songs describing the bliss of true lovers in wedlock, it is not thereby rendered unworthy of a place in the Bible, unless marriage is to be regarded as a fall from a state of innocency ... Perhaps most persons need to enlarge their conception of the Bible as a repository for all things that minister to the welfare of men. The entire range of man's legitimate joys finds sympathetic and appreciative description in the Bible. Two young lovers in Paradise need not fear to rise and meet their Creator, should He visit them in the cool of the day.[54]

In an essay, Jacques Madaule, author of "The Flesh and the Spirit," expresses the mystery of marriage in these words:

> "Our love is made of the same stuff that unites God to the whole of mankind and to each individual soul. We know that the mystics have always used the language of conjugal love to describe the ineffable love of God and the soul. His love for us is the story of a long and difficult courtship that culminated in a spiritual marriage. Christ is the spouse of the Church; He espoused the Church on Calvary and conducts her affairs with solicitude that is ever conjugal. It is through Christ and through the Church that the couple we form and the family we have founded is linked up with the community of men. From the moment He is present, nothing is absent from the prayer we recite together ..."

[53] Meredith G. Kline, "The Song of Songs", Christianity Today, April 27, 1959, p. 39. Reprinted by permission.

[54] John Ricahrd Sampey, "Song of Songs," in The International Standard Bible Encyclopedia, James Orr, ed., Vol v, (Grand Rapids, Mich.: Wm. B. Erdmans Publishing Co., 1939), pp. 2833-4.

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> "Carnal union in marriage, so human and profane at first sight, evokes the union of our bodies with the body of Christ. We have only to think of Eucharistic Communion, the miracle of love, in which the flesh of the Son of God transfigures our flesh and prepares it for eternal resurrection ... When a husband loves his wife as Christ loves His Church, when a woman loves her husband with that tender veneration and that loving submission which the Church honors her Head, they realize together something of that great mystery. They accomplish the redemptive work of Christ; they are united in the same love that Christ has for His Church. When they give birth to children, when they radiate about them the love which they live, they participate in the immense mission of Christ and the Church: they evangelize and save the world."[55]

Whatever can be said about the Christian view of sexuality, it does remain evident that while sex and marriage may be considered holy, celebacy and abstinence are more holy. Christianity is basically a 'sex-negative religion', to use Vern Bullugh's term:

> "The Christian ideal might be explained as to experience no desire at all. Clearly, even though marriage had been instituted by God for the generation of children, it was a concession to the inordinate desires of fallen humanity and a refuge for those weaker souls who could not bear the discipline of celibacy."[56]

Most of the Church Fathers were bachelors, but even those, such as Tertullian, who were married tended to denigrate marriage. Tertullian later felt such deep remorse over his lapse into matrimony that he joined the Montanists, a heretical Christian sext even harsher in its attitude toward sexual relations than the more orthodox Christians. In his Letters to His Wife, he writes as if there was no sexual element at all

[55] Quoted in Marriage Is Holy, 1957, ed. by H. Caffarel, translated by Bernard G. Murchland, C.S.C., Fides Publishers, Inc., Notre Dame, Indiana, P. 15. See also pp. 135-139.

[56] Bullough, Vern L., Sexuality Variance in Society and History, John Wiley & Sons, Inc., 1976, p. 185.

in marriage and, in fact, argues that celibacy was much to be preferred.[57] Tertullian was not the only Father to become a heretic. Tatian, a disciple of Justin martyr, became a Gnostic ascetic after his teacher's martyrdom. He became the leader of a group known as the Encratites, the 'self-controlled," a group believing that marriage was corruption and prohibiting sexual intercourse, intoxicants, and meats.[58] Tatian taught that sexual intercourse had been invented by the Devil, and thus anyone attempting to be married was trying to do the impossible by serving two maters, God and the Devil.[59] In his Diatessaron, Tatian argued that Adam rather than God had established marriage. He also argued that Jesus was separate from the material world of the flesh.[60] The Encratites group continued to produce works after Tatian's death, holding that martial relations were sordid andabominable. They referred to wedlock as a "polluted and foul way of life" and urged the true believers to replace the tree of carnal appetite with the tree of the cross. Those about to wed were counseled to abandon "filthy intercourse."[61] Tatian's greatest influence was on the Syrian Church, which apparently never considered him a heretic. The extent of his influence there is evident from the fact that a modern authority, Arthur Voobus, can argue that all the available sources about the Syrian Christian Church of the third century were unanimous in their testimony that the fundamental

[57] Tertullian, To His Wife, i, ii-ii, in Vol. 4, The Ante Nicene Fathers.

[58] Eusebius, Ecclesiastical History, iv, cap. 29; Irenaeus, Against Heresies, i, cap. 28, in Vol. 1, The Ante Nicene Fathers.

[59] Clement, Stromata, ii, cap. 12 (80).

[60] Phipps, William E., Was Jesus Married?, (N.Y.: Harper & Row,1970), p. 133.

[61] Acts and Martyrdom of Andrew, in Vol 8, The Ante Nicene Fathers, p. 512; and Acts of Thomas in Vol. 8, The Ante Nicene Fathers, p. 537.

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conception around which the Christian belief centered was the doctrine that the Christian life was "unthinkable outside the bounds of virginity."[62]

Unavoidably, with such sexual attitudes, the Gnostics had a low opinion of women, whom they associated with sex. In the Gnostic Gospel of Thomas

> Simon Peter said to them, "Let Mary go forth among us, for women are not worthy of the life." Jesus said, "See, I will lead her that I may make her male, so that she may become a living spirit like you males. For every woman who makes herself male shall enter the kingdom of heaven."[63]

"In effect women could be saved only by becoming men or, at least, asexual creatures."

By the end of the second century Gnosticism was generally regarded as a distorted expression of Christianity. The organizational ability of the more orthodox Christians had begun to win the battle against them. By insisting on the importance of the community as opposed to the individual and by emphasizing its scriptural antecedents while yet incorporating pagan philsopohy, Christianity succeeded in overcoming Gnosticism. In

62 Voobus, Arthur, History of Asceticism in the Syrian Orient, (Louvain: Corpus scriptorum Christianorum Orientalium, 1958), Vol. 1, p. 69. This work is in English.

63 The gospel can be found in various editions, but the one from which this is quoted is in an appendix in Jean Doresse, The Secret Books of the Egyptian Gnostics, translated by Philip Mairet (London: Hollis & Carter, 1960), Gospel of Thomas, V. 22.

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the process, however, the Christian Church became thoroughly Hellenized, its sexaul attitudes seeming to have been influenced more by the ascetic Gnostics than by Jews. The extent of the Gnostic influence is evident from from the fact that one of their most avid opponents, Tertullian, stopped just short of condemning intercourse even in marriage and actually seemed to be uncertain why God ahs ever permitted such an act.[64]

Sexual asceticism continued to exercise a hold over the Christian mind. Gregory of Nyssa, in the fourth century, dismissed marriage as a sad tragedy[65]. St. Jerome (died 420 A.D.) emphasized its inconveniences and tribulations[66] and summarized his veiws in an oft-quoted passage:

> I praise marriage and wedlock, but I do so because they produce virgins for me. I gather roses from the shell.[67]

St. Ambrose called marriage a "galling burden" urging all those contemplating matrimony to think about the bondage and servitude into which wedded love degenerated.[68] In sum, the Fathers argued that the wedded state was not as good as the single.[69]

Predictably, with such attitudes, the Chruch Fathers condemned any forms of sex not leading to procreation, all of which were regarded as

64 Tertullian, On Monogamy, cap. 3, in Vol. 4, The Ante Nicene Fathers

65 St. Gregory of Nyssa, On Virginity, translated by Virginia Woods Callahan, in Vol. 58 of The Fathers of the Church, (Washington, D.C.; The Catholic University of America, 1948f.).

66 St. Jerome, Against Helvidius, 21-22, translated by John N. Hritza, Vol. 53, The Fathers of the Church; and St. Jerome, Letters xxii, 2, translated by Charles Christopher Mierow, ed., in Vol. 33, Ancient Christian Writers, (Westminster: The Newman Press, 1963)

67 Jerome, Select Letters, xxii, 20.

68 St. Ambrose, De vidius, cap. xv, lxxxviii; and cap. xi, lxix.

69 Bailey, D., Sexual Relation In Christian Thought, p. 24.

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deviant and unnatural. Condemnation of homosexuality appeared very early in the development of Christianity. In the Didache, a second-century manual of church life and morals, there is a list of sexual sins generally based on the Ten Commandments but extended to include pederasty and abortion.[70] The same condemnation appears in the Epistle of Barnabus, dating from about 130 A.D. The Apostolic Constitutions, composed in the fourth century, held that Christians abhorred all "unlawful mixtures" and regarded them as wicked and impious.[72] St. John Chrysostom (died 407) was particularly vehement in denouncing homosexual activities as unnatural.[73] He condemned sodomy as an unpardonable insult to nature and regarded tribadism as even more disgraceful, since women are supposed to have more shame than men. He spoke our against pederasts who came to church to look with lustful curiosity on the youths in the congregation.[74] Homosexual activities were regarded as more sinful and destructive than simple fornication

[70] Didache or Teachings of the Twelve Apostles, cap. ii, in vol. 7, The Ante Nicene Fathers.

[71] Epistles of Barnabus, cap. xix, in Vol. 1, The Ante Nicene Fathers.

[72] Constitutions of the Holy Apostles, vi, xi and xxvii, in Vol. 7, The Ante Nicene Fathers; and also the anonymous poem, "A Strain of Sodom," in Vol. 4, The Ante Nicene Fathers, pp. 129-132.

[73] St. John Chrysostom, Commentaire sur l'epitre aux Romans, iv, in Vol. 10, Oeuvres, translated by Jeannin, ed. (Nantes: L. Juerun, 1866); and Commentaire sur l'epitre a Tite, iv, in Vol. 11, Oeuvres.

[74] St. John Chrysostom, Commentaire sur l'evangile selon S. Matthieu, lxxxiii, 3, in Vol. 8, Oeuvres.

because they jeopordized humanity by deflecting the sexual organs from their primary protective purpose and sowed disharmony and strife between men and women, who no longer would be impelled by their physical desires to live together peaceably. Fornication, though lawless, was at least regarded as natural, while sodomy and lesbianism were not. St. Augustine contended that homosexual practices were not only lustful acts but also transgressions of the command to love God and one's neighbour. These shameful acts, which he equated with those committed in Sodom, were to be detested and punished whereever they were found, for God had not made man to use each other in this way.[75] Fellatio and other sexual activities were also condemned.[76]

The Fathers left no doubt, of their basic hostility. Sodomists were among the persons to be debarred from baptism and admission for instruction in the faith. The Council of Elvira (305-306), held in southern Spain, included a canon forbidding the admission of stupratores puerorum to Holy Communion, even if they were at death's door. Later, at the Council of Ancyra in Asia Minor (314 A.D.), two canons were passed penalizing persons termed alogeusamenoi, those guilty of shamelessly offensive conduct, which can be interpreted to mean homosexuality.[77] Gregory of Nyssa laid down the principle that he "who is guilty of unseemliness with males" will be under the same discipline as adulterers.[78] He justified

[75] St. Augustine, Confessions, iii, viii.

[76] Epistle of Barnabus, x.

[77] Bailey, Derrick, op. cit., pp. 87-88.

[78] Gregory of Nyssa, Epistle, ccxvii; can. 62, translated by Virginia Woods Callahan, The Fathers of the Church, Stockholm, 1951.

his classification of sodomists with adulterers in that both crimes involve not only sexual lust but also treachery and wrong against someone else. Both, in turn, merit a double penalty as compared with simple fornication.[79] St. Basil held that adulterers as well as sodomists and bestialists should be excluded from the sacrament for 15 years and fornicators for only 7 years.[80] Gregory also imposed a somehat less rigouour penalty stating explicitly that discretion was to be used in imposing the penance.[81]

In general, the attitude of the Eastern Christians seemed to be less hostile than the Western. Basil and other Eastern Fathers regarded sodomy as a grave sin, but no worse than adultery, bestiality, fornication by a monk or nun, and some types of incest. Basil treated it much more leniently than murder, divination and incest with a sister, all requiring a 20 year penance, and nothing like apostasy, which required exclusion from Communion until the hour of death. In fact, sodomy was not much worse than simple fornication. St. Gregory's code was even less harsh than that of Basil. It was the Western Chruch, perhaps influenced by St. Augustine, that tended to regard the sexual activities as much more serious.[82]

79 Ibid, Epistle Caonica, 4.

80 St. Basil, The Letters, ccxvii; To Amphilochius, 57-75, translated by Roy J. de Ferrari, ed. (London: William Heniemann, 1930).

81 St. Gregory of Nyssa, op. cit.

82 Bullough, Vern L., op. cit., p. 196.

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"Christianity must be classed as a sex-negative religion ... The bulk of the Church Fathers tolerated intercourse only in marriage and only for procreation but preferred virginity and celibacy. The strict Manichaereans as well as other pagan writers held that intercourse was never permissible, and though many Christian writers flirted with this idea, it was ultimately rejected as an absolute requirement for all Christians. Christians were, in spirit, if not always in practice, ascetics, and justifying sexual intercourse only in terms of progeny meant that any kind of sex not leading to reproduction had to be condemned. It also meant that, even when pregnancy resulted, sex was not something enjoyed. The Church Fathers regarded sex as at best something to be tolerated, an evil whose only good was in procreation. Western attitudes have been dominated by their concepts ever since."[83]

[83] Ibid.

CHAPTER X

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All the above clarifies beyond a doubt the Christian attitude toward sexual activity - heterosexual as well as homosexual, and we can now better understand even more recent statements by the Church on homosexuality. The New Catholic Encyclopedia describes the homosexual act as "a grave transgression of the Divine Will."[1] The National Conference of Catholic Bishops, speaking through its Principles to Guide Confessors in Questions of Homosexuality, says that homosexual practices are "a grave violation of the law of God. And the most recent expression by the Roman Catholic Church on the subject, "Declaration On Certain Questions Concerning Sexual Ethics", states:

> "In the pastoral field, these homosexuals must certainly be treated with understanding and sustained in the hope of overcoming their personal difficulties and their inability to fit into society. Their culpability will be judged with prudence. But no pastoral method can be employed which would give moral justification to these acts on the grounds that they would be consonant with the condition of such people. For according to the objective moral order, homosexual relations are acts which lack an essential and indispensable finality. In Sacred Scripture they are condemned as a serious depravity and even presented as the sad consequence of rejecting God. This judgment of Scripture does not of course permit us to conclude that all those who suffer from this anomaly are personally responsible for it, but it does attest to the fact that homosexual acts are intrinsically disordered and can in no case be approved."[2]

[1] See also Dictionary of Christian Ethics, ed. J. Macquarre, p. 152.

[2] This document was signed by the Sacred Congregation for the Doctrine of Faith on Dec. 29, 1975 and published by the National Catholic News Service.

The declaration also brings the following quote in a footnote:

Romans 1:24-27:

> "That is why God left them to their filthy enjoyments and the practices with which they dishonor their own bodies, since they have given up Divine truth for a lie and have worshipped and served creatures instead of the creator, who is blessed forever. Amen! That is why God has abandoned them to degrading passions: why their women have turned from natural intercourse to unnatural practices and why their menfolk have given up natural intercourse to be consumed with passion for each other, men doing shameless things with men and getting an appropriate reward for their perversion."[3]

All this having been said, however, there is a new trend within the church both from traditionalists and liberals which has opened the issue of homosexuality for new consideration and which is demanding a re-evaluation of the church's erstwhile and steadfast stand. In addition to a growing number of orders whose purposes are to minister to Catholic gay priests and laymen (Dignity, the Salvatorians, The Society of the Divine Savior). Catholic magazines are opening a forum to priests differing on the matter of homosexuality. (Linacre Quarterly, National Catholic Register, U.S. Catholic, National Catholic Reporter, Commonweal, Christian Century, Christianity Today).

The most outspoken of all Catholics is one who is mentioned earlier in this paper, a Jesuit, the Reverend John J. McNeill.[4] He

[3] Ibid. See also New Testament citations against homosexuality: Romans 1:26, 27; 1 Corinthians, 6:10; 1 Timothy 1:10.

[4] McNeill, John J., The Church and The Homosexual, (Kansas City: Sheed, Andrews & McNeel, 1976.

re-interprets both Old and New Testament references to homosexuality, and even claims that Paul was not aware of the condition of homosexuality as proposed to the sin of heterosexuals behaving like homosexuals. He concludes that none of the biblical texts contain a clear condemnation of faithful homosexual union. He also affirms that man's radical freedom enters into the formation of men's sexual orientation in such a way that biological givens, such as the sex in which one is born, should not be determinative of sexual activity. He insists that love, including sexual love requires respect for the other person, and the sin which man can omit in sexual conduct consist in dishonoring the person of a fellow human being.[5] McNeill is not the first to assert that both Jesus and Paul were possibly themselves homosexuals.[6] McNeill's emphasis is on compassion and the church's obligation to provide a haven for the lonely and afflicted. In his book, The Church and the Homosexual, McNeill denies that there is anything necessarily immoral about homosexual acts. He continues: The Catholic Church has traditionally opposed birth control because each sexual act should be open to procreation. Many leading moral theologians now question that contention, and McNeill says their logic should lead them to restudy homosexuality, which has also been condemned

[5] Ibid; Passim especially p. 29-37.

[6] Based on 2 Corinthians 12:1-9; Marc Oraison, The Homosexual Question, (N.Y.: Harper and Row, 1975), p. 129 states: "We cannot dismiss the possibility that the personal suffering of Paul, the place of his encounter with Christ, was directly linked to the question of homosexuality."

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because it contravenes the purpose of procreation. Curiously, however, McNeill uses something of a natural-law argument of his own: God so created humans that their sexuality is not determined by their biology. Therefore the homosexual condition is according to the :will of God."[7]

In addition to McNeill,[8] in a more recent study, Human Sexuality: New Directions in American Catholic Thought (Paulist Press, 1977), five theologians admit that under certain circumstances friendships between homosexuals could be a positive good. They suggest it is unrealistic to believe that the celibate, the handicapped, the divorced, the widowed, the homosexual, are not sexual beings. The book urges theologians to broaden their definition of sexuality beyond the merely genital and generative.[9]

Protestant theologians also have written extensively on this issue. One extreme position assumes that since there is no valid scientific evidence to prove that homosexuality belongs per se to the realm of mental health, homosexuality should be considered just as moral as heterosexuality; not only a-moral, but moral in a positive sense, and good and right and even desirable.[10]

7 McNeill, op. cit., Passim. See also Linacre Quarterly, August 1976, p. 181.

8 For a full up-to-date review of all Catholic publications and articles, dealing with the religious question of homosexuality, see McNeill, op. cit., pp. 3-25.

9 Human Sexuality, p. 186 and Passim.

10 The Same Sex, ed. R.W. Weltge, United Church Press, Philadelphia, pp. 138-43.

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Moreover, 90 Episcopalian ministers declared in 1967 that homosexual relationships between consenting adults should be judged by the same criterion with which heterosexual marriages are judged, namely, whether they are meant to foster a permanent relationship of love.[11] But ten years later:

> "The bishops of the Episcopal Church in the United States today took a forceful stand against the practice of homosexuality but refused to adopt a resolution dec ring strong disapproval of Bishop Paul Moore Jr. of New York for having ordained a professed lesbian. The House of Bishops, meeting in regular session here, also stopped short of opposing candidates for the priesthood who were inclined toward homosexuality. By tradition, homosexual orientation itself has not strictly been a bar to the priesthood."[12]

A similar pattern of thought is seen in "A Brief for a New Homosexual Ethic" by Neale A. Sexor. He contends that for Christian ethics to accept the judgment of psychiatry that homosexuals are mentally sick or that homosexuality is a pathological condition, and then conclude that homosexuals should be accepted as they are, is runabout reasoning. It leaves homosexuals no other choice and falls short fo being helpful for an ethical inquiry. As a working hypothesis, therefore, Secor suggests that human sexual identifications and behavior patterns are morally neutral, regardless of their

[11] For a complete study see: Wysor, Bettie, The Lesbian Myth, (N.Y.: Random House, 1974), pp. 64-97.

[12] New York Times, October 5, 1977.

preferred gender object; the moral quality of any particular sexual pattern depends on whether or not it meets the Christian standards for all human relational behavior as presently approved and understood by all; ethical concern for homosexuals is warranted on the basis that they are persons, not on the basis of their sexual inclination. In short, one cannot make a priori ethical judgments on sexual behavior simply by reason of the object of the sexual behavior, the sexual behavior itself, or behavior as socially aberrant.[13]

Describing homosexuals as belonging to a minority that is haunted by fear, living in loneliness, legally persecuted and rejected by society, Robert Wood indicts the Church with indifference, misunderstanding and thefailure to love. In his book, Christ and the Homosexual, he calls for pastoral responsibility and concern because Christ was for all, including homosexual. While he is aware that many specific sins (homosexuality included) are condemned in the Bible, it escapes him how homosexuality can be singled out as falling under an absolute biblical judgment while the other sins do not. To him, this is falsifying the biblical record, especially since homosexuality is only one symptom among many of a disordered life. He therefore believes that a morally justifiable pattern of homosexual life is possible and that homosexual acts are not always and everywhere wrong.

[13] Secor, ibid, Passim.

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With the impending threat of overpopulation in the world, homosexuality is a God-created way of restraining the world's population. It also makes available the possibility of love for those who cannot find it in a heterosexual way, offering avenues of self-expression when other ways are not possible.[14]

Helmut Thielicke discusses the problem of homosexuality within the context of human sexuality. He sees the male-female duality as being ordained in creation, but it became a disturbed relationship after the Fall. Nevertheless, this sexual duality sets the terms under which all sexual ethics must be approached, although the concrete answers to ethical problems require attention to the specific forms that sexuality takes in given situation. "Proof-text" answers to ethical questions must be rejected. The Scriptures are a foundation, but only when they are read in the light of the Word of God. From the biblical point of view, sin has distorted human existence; therefore there are distortions and elements of dehumanization in homosexuality. Nevertheless, the homosexual tendency should not be more strongly abhorred than the existing situation which all men share in a creation that has been disordered by the Fall. Thielicke appeals to the doctrine of sin, not as a basis of separate

[14] Gearhart and Johnson, Loving Women, Loving Men - Gay Liberation and the Church, (San Francisco, California: Glide Publications, 1974), Passim especially pp. 61-87. This book in general gives an excellent overview of the church and the homosexual. Also see pp. 33-20.

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the good from the bad but as a way of reminding the good that they also share in the perversity of lovelessness. Heterosexuals, therefore, have no right to maintain an ethical superiority over homosexuals.[15]

Yet in spite of liberal tendencies by many Christian theologians, the prevailing official policy is not in favor of the homosexual. This generally true of every denomination. Homosexuality is still considered a sin by the church bodies. Although a Methodist minister performs "convenant services" for homosexual couples,[16] the United Methodist Chruch still maintains that homosexual practise is incompatible with Christian teaching. The Presbyterian Church condemned "unrepentant homosexuals" both from lay offices and the clergy, and decided that homosexuality "falls short of God's plan."[17] The United Church of Christ has no national policy, but it did ordain the first homosexual clergyman in 1972.[18] The Christian Church - Disciples of Christ adopted a report stating that: "homosexuals' gifts of ministry are to be welcomed" as it rejected an explicit condemnation of homosexual lifestyle for Christians.[19]

There has also been much fluctuation with reference to the legal and civil rights of homosexuals. Several years of agitation in behalf of gay rights, have predictably generated a counter-movement. Homosexuality is now being denounced in communities that

15 Ibid, p. 282-285.

16 New York Times, November 27, 1977.

17 Time, June 5, 1978.

18 Ibid.

19 Ibid.

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only a year or two ago outlawed anti-gay discrimination and are now repealing these ordinances by heavy votes. It has been suggested that this new nation-wide attack on homosexuals rests on two main arguments: God disapproves of them, "they are after our children" - meaning that the gays are plotting to seduce innocent children and turn them into homosexuals.[20] An additioanl reason for the present backlash against tolerance would also be the bad publicity of avowed homosexuals guilty of various crimes.[21] This backlash started in 1977 when the United States Supreme Court let stand a Washington State court ruling that teachers can be dismissed for being homosexuals. In the same year, Miami, Florida followed by St. Paul, Minnesota, Wichita, Kansas, Seattle Wahington, Tuscon, Arizona, all repealed by referendum city ordinances which hitherto prohibited discrimination against homosexuals.[22] On January 24, 1978, Mayor Koch of New York City banned municipal discrimination aginst homosexuals, but nonetheless the New York Council failed to pass a homosexual civil rights bill in November of the same year by a vote of 26-16.[23]

Should homsexuals (male and female) be regarded as abnormal? Much has been written about the etiological nature of this behavior and

20 See New York Times, June 14, 1978 editorial: Who's Afraid of Gays? by Robert Clairborne.

21 U.S. Representative Federick Richmond, Democrat of Brooklyn, was found guilty of soliciting sexual relations with a 16 year old youth. (He won re-election.) The case of England's member of Parliament, Jeremy Thorp, accused of plotting the murder of his former lover.

22 On March 20, 1978, the Florida Supreme Court ruled that a homosexual could not be denied admission to the state bar because of sexual preference. A similar law was passed by the Board of Supervisors in San Francisco.

23 For primary sources for the above as well as articles in more depth, the reader's attention is drawn to The New York Times of: 10/5/77; 10/24/77; 1/24/78; 3/22/78; 10/12/78; 11/30/78; 12/13/78. In addition, the National Gay Task Force (80 Fifth Ave., N.Y.,N.Y.) publishes an annual report: Gay Civil Rights, which is an up-to-date compendium on civil rights statements and resolutions of city and church bodies.

the reader is referred to the bibliography on this matter. Suffice it to say, that the American Psychiatric Association went on record in 1973 indicating that homosexuality does not constitute any form of mental disorder and is no longer listed as such in the current revision of the official nomenclature of mental disorders published by the American Psychiatric Association. In a resolution passed on December 15, 1974, the Board of Trustees of the American Psychiatric Association adopted the following resolution strongly advocating the limitation of all discrimination against homosexual men and women that is based solely on the fact that they are homosexual:

> "Whereas homosexuality per se implies on impairment in judgment, stability, reliability, or general social or vocational capibilities, therefore, be it resolved that the American Psychiatric Association deplores all public and private discrimination against homosexuals in such areas as employment, housing, public accomodation, and licensing and declares that no burden of proof of such judgment, capacity or reliability shall be placed on homosexuals greater than that imposed on any other persons. Further, the American Psychiatric Association supports and urges the e enactment of civil rights legislation at the local, state, and federal level that would offer homosexual citizens the same protections now guaranteed to others on the basis of race, creed, color, etc. Further the American Psychiatric Association supports and urges the repeal of all discriminatory legislation singling out homosexual acts by consenting adults in private."[24]

[24] Journal of the American Psychiatric Association, 6/30/75, Judd Marmor, President. See also appendix for this and other resolutions by recognized professional associations and organizations.

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Should homosexualism be regarded as criminal? Current legal provisions in regard to private homosexualism between consenting adult males vary between tolerance in France (under the Code Napoleon) and severe treatment in Britain (under statutes of 1861 and 1885, modifying laws of 1533 and 1828 which made sodomy a felony punishable by death); and between these extremes there is a wide range of enactment. In Britain the Wolfenden Committee (Report, 1957) recommended that homosexualism should not in any form be cognizable by law unless it infringed public order and decency, offended or injured the citizen, or exploited or currupted others (particularly the young and persons in special positions of dependence). This may be regarded as representative of liberal opinion which advocates repeal of laws which are held to be barbarous legacies from the past; but strong emotional factors, social and personal, impede reform.[25]

25 Bailey, Derrick Sherwin, Homosexuality and The Western Christian Tradition, 1955; Sexual Offenders and Social Punishment, 1956. See also Dictionary of Christian Ethics, edited by J. Macquarre, p. 152.

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CHAPTER XI

The greatest acrimonious campaign against homosexuality was waged in 1977 by Anita Bryant with her evangelic fundamentalism. She was successful in having the voters fo Dade County, Miami, reject an ordiance banning discrimination against homosexuals in housing and employment. The antidiscrimination ordinance was repealed by a margin of more than 2 to 1, and this poll was the first referendum on the rights of homosexuals in any major United States city.[1] Undoubtedly, many voters responded to Bryant's emotional speeches, replete with biblical quotations and portrayals of homosexuals as direct threats to children. The name of her organization - Save Our Children - itself triggered emotional responses. The promoters of this group took out full page newspaper ads[2] denouncing homosexuals as "human garbage", and that the homosexual lifestyle was: "a hairraising pattern of recruitment and outright seduction and molestation of children."[3]

According to analysts, it was an unusually large turnout for a referendum (45%) and from the moment that the vote-counting began, it was obvious that Bryant's crusaders had victored over the gay activists. The anti-discrimination bill was repealed by a 69-31% margin.[4] Only a small percentage of blacks voted; those who

1 Newsweek, June 6th and 20th, 1977.

2 The reader should peruse all Florida daily newspapers from March 15th through June 15th, 1977.

3 Newsweek, June 20, 1977.

4 Ibid.

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did split their votes between retention of the ordinance and its repeal. Bryant won enormous support from Dade County's Roman Catholics and religous fundamentalists as well as from the Cuban community, where it is still the custom amongst them to shave the heads of homosexuals.[5]

The Jewish vote was divided. In one predominantly Jewish precinct in Miami, which usually has 75% turnout, barely 40% cast ballots and nearly half of them voted for repeal.[6] The Orthodox and Hassidic communities (specifically Lubavitch) carried on vigorous campaigns among their constituents to vote against gay rights.

Of all the denominations within Judaism, the Orthodox have been most vituperative and vitriolic. Even before 1977, newspapers and journals under Orthodox auspices, have editorially expressed strong opposition to homosexuality as well as to homosexual rights.[7] Beginning in 1978, a campaign was begun in order to block the passage of the gay rights bill in New York City. Dr. Bernard Fryshman, Chairman of the Commission on Legislation of Agudath Israel of America, declared that a gay rights bill is an infringement upon the religious rights of Americans and a severe blow to fundamentals in education.

[5] Ibid. Roman Cahtolic Arch Bishop Coleman Carroll urged repeal of the ordinance and his declaration was read in all Dade County's Catholic churches on the Sunday before the vote.

[6] Newsweek, June 30, 1977.

[7] Especially see the Jewish Press beginning in 1974. Passim.

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He announced that the Orthodox Jewish community will mobilize to defeat any measures which would compel schools to hire homosexual teachers or require that a family rent to an avowed homosexual couple:

> "A society in which bus drivers, as well as teachers, policemen and camp counselors can all be overt homosexuals will result in ever-increasing numbers of children concluding that homosexuality is a legitimate alternative lifestyle. Furthermore, legislation outlawing discrimination against such individuals can be a prelude to strong pressures to 'rehabilitate' the gay individuals in textbooks, television and the like. We may even ultimately face Affirmative Action programs to compensate them for discrimination of the past.
>
> "Jewish law prohibits parents from allowing their children to be taught or counseled by people who are sexually perverted, such as homosexuals. Loyalty to ethical Jewish teachings, as well as our concern for public morality in society at large, moves us to launch an all-out citywide effort to defeat the proposed gay rights bill."[8]

The Rabbinic Council of America also issued a statement against homosexuality. The president, Rabbi Walter S. Wurzberger, warned against permissiveness which will

> "corrode the value structure that alone can provide the foundations for a healthy family life. Religious leaders dare not succumb to the temptation of surrendering to the blandishments of a hedonistic culture that frowns upon any interference with the pursuit of pleasure ... Homosexuals are entitled to a sympathetic understanding of their

[8] Jewish Press, January 20, 1978 (front page). See appendix of Jewish Press article, July 14, 1978. Also issue of November 25, 1977 where there is an exchange of letters of homosexuals to the editor.

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plight and are deserving of every possible help. But we dare not place the mantle of respectability upon a practice which flouts all biblical precepts of morality. It is inconceivable that a deviation which is explictly denounced in the Bible should be legitimatized as an alternative life style.

"Opposition to the practice of homosexuality is fully compatible with efforts to treat the homosexual with compassion. Homosexuals should be guaranteed all civil rights and deserve equal opportunities in the economic sphere, but society also has the responsibility to protect itself against a destructive value system. It is for this reason that avowed homosexuals should not be permitted to serve as role models or authority figures.

"Since the Jewish moral code categorically prohibits homosexual relationships, no agency or institution concerned with the preservation of Jewish values can condone or sanction this practice. The establishment of gay synagogues represents not merely a scarilege but an act of Jewish spiritual self-destruction. It is a sad commentary of the havoc wrought by the permissiveness that plagues our society that even religious leaders surrender to the clamor of a culture that is obsessed with narcissistic self-satisfaction. When our philosophy of life consists only of self-fulfillment, self-expression and self-gratification, we are on the verge of rendering the family an extinct species."[9]

A similar statement was issued by Rabbi Abraham B. Hecht, President of the Rabbinic Alliance of America. He declared that America's Torah leader ship is not against ...

"the personal rights of individuals to practice perversion in privacy, but we cannot stand by quietly as society legitimizes homosexuality as a viable and acceptable social norm. The rabbinical position on homosexuality has been unchanged since the dawn of Judaism - it is an abomination that recognizes no extenuating circumstances and is in the same class as pederasty.

[9] Jewish Examiner, February 5, 1978.

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> "Accepting this lifestyle would be misleading to young people who will grow up believing that there exist equally acceptable alternatives in choosing one's sexual preference. Our society does not outlaw alcoholism but neither does it legitimize it. Fortunately America's drunks do not yet have the wherewithal to promote alcholic lib because their numbers and potential political strength far outweigh those of homosexuals.
> "America must once and for all realize that it cannot afford to buckle to the organized pressure of every depravity, be it homosexuality, Nazism or what have you. If we want to see American society survive, we cannot let it fall prey to the very abominations which destroyed pagan civilizations centuries ago."[10]

Rabbi Nisson Wolpin, speaking for Agudath Israel of America, spoke at a hearing before a New York City Council committee:

> "A vote for the Gay Rights Bill is a gesture of contempt for the family, a much beleagured, but vital institution that is in need of every encouragement ... The bill, which is being promoted as a vehicle for correcting suppressed civil rights, is a matter of approving flagrant civil wrongs - namely promoting the acceptability of an illicit way of life on an unwitting public ... This bill would constitute ' a harmful infringement upon the rights of the individual to protect his family intergrity and a severe blow to basic principles of education. We are not against the rights of homosexuals as people; on the contrary, they are welcome in the community as people. But we must exclude them when they insist on presenting themselves in terms of legitimizing their homosexuality."[11]

Mayor Edward Koch had promoted the gay rights bill from the time he assumed his public office, and in the December 15, 1978 issue

[10] Jewish Press, May 12, 1978.

[11] Jewish Press, November 17, 1978.

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of the Jewish Press, the Mayor explains his position in the gay rights bill. With his explanation, he includes a letter from the Chancellor of the New York City Board of Education to support his view.

The Jewish Press had a final editorial on the defeat of the gay rights bill:

> "For the fifth time the Gay (Sodomy) Rights bill suffered defeat by theCity Council of New York. While we should be grateful that this abomination did not make it this year, we must not be deluded into a false sense of security. For the proponents of this ultra in wickedness will be back, again and again. The price for keeping our city free form this festering plague is eternal vigilance.
>
> "And so to those who worked indefatigably for this great victory we say: Yeyasher Kachochem, may the All-Mighty strengthen you to continue the good fight: to keep New York City from sinking into this abyss and, possibly influencing other cities to sink likewise.
>
> "To those who sat this one out we say: get into the fray. This great democracy of the people will serve as a democracy courageously only if the people will act courageously, responsibly."[12]

The most erudite and perspecacious article written on the subject of homosexuality was penned by a leading Orthodox rabbi, presently the President of Yeshiva University. In an article in Jewish Life, (Jan.-Feb., 1968) as well as in the 1974 Encyclopedia Judaica Yearbook, Rabbi Norman Lamm outlines the Halachic issues and concludes:

[12] Jewish Press, Dec. 8, 1978. See also Nov. 17, 1978, where the names of those who voted to defeat the bill are listed.

> "Homosexuality, whether male or female, is thus considered abominable, and can never be legitimized in the eyes of Judaism. This by no means implies that Jews who live by Judaism are lacking in compassion for the man or woman trapped in this dreadful disease, suffering the loneliness, the humiliation, and the social ostracism to which such individuals are condemned by their unfortunate tendencies. Certainly the homosexual who genuinely desires to emerge from his situation ought to be helped by all the means at our disposal, whether of medicine or psychotherapy or counselling. But the compassion and help extended by society should in no way diminish the judgment that mishkav zachar is repugnant."[13]

He believes that the homosexual should be treated as a patient, rather than a criminal:

> "The point can thus be made that as long as other sexual vices, such as adultery and incest, are not prosecuted in the courts, homosexuality should likewise be excluded from the criminal law. Besides, the nature of our prisons is such that not only do they not help rehabilitate the homosexual, but usually worsen his conditon."[14]

He concludes:

> "Judaism began its career as the standard bearer of morality in a world which mocked it. When Judaism came upon the world scene, it took vigorous exception to the mores of the then contemporary world, and it maintained this opposition even when what it considered abominable immorality was practiced by highly sophisticated Greeks and Romans, and not only by primitive Egyptians and Cannanites. Its moral judgment is no less determined in our own age when on restraint after another is being scrapped by an increasingly permissive society, and when a great world religion shows signs of the resurrection in its midst of a long-repressed pagan past.

[13] Jewish Life, op. cit., p. 14.

[14] Op. cit., p. 15.

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> "Apparently, Judaism is destined to carry on in the twentieth century in the same sense of isolation and, I pray, with the same sense of determination as it has in the past."[15]

Subsequent issues of the above quoted magazine shared with the reader letters to the editor strongly criticizing Rabbi Lamm's point of view which was considered too liberal.[16]

Lamm analyzes the use of the word toevah connected with the biblical prohibition of homosexuality. In addition to the traditional sources[17] he suggests that toevah may simply mean "disgusting ... it is as it were a visceral reaction, and intuitive disqualification of the act ... toevah constitutes a category of objectionableness sui generis ... no matter how much it may be in vogue amongst advanced and sophisticated cultures."[18]

However stringent Lamm may appear to be, and however strongly he feels that severe laws against homosexuality must remain on the books, nonetheless, "there is nothing in the Jewish Law's letter or spirit that should incline us toward advocacy of imprisonment for homosexuals ... we must be no less generous to the homosexual than to the drug addict to whom the government extends various forms of therapy

[15] Op. cit., p. 16.

[16] See especially Jewish Life, May-June 1968.

[17] Nedarim 51a: Toevah - toeh attah bah ("you are going astray because of it"). See also Tosafot and Pesikta Zutarta ad locum; Torah Temimah to Lev. 18:22: "you are going astray from the foundations fo the creation": see also Sefer Hachinuch #209.

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upon request ... jail sentences must be abolished for all homosexuals, save those who are guilty of violence, seduction of the young, or public solicitation."[19]

Lamm also opposes separate homosexual congregations and encourages existing congregations to extend hospitality and membership: "Homosexuals are no less in violation of Jewish norms than Sabbath desecrators or those who disregard the laws of Kashurt.[20]

An attitude not too dissimilar to Lamm's was expressed in the first major article about Judaism and homosexuality by Rabbi Solomon B. Freehof, one of the foremost authorities on Jewish law in the Reform Movement.[21]

Categorically, he states: "There is no side-stepping the fact that from the point of view of Judaism, men who practice homosexuality are to be deemed sinners.[22] Moreover, "it is forbidden to force them into a separate congregation."[23] Freehof is also quick to condemn a so-called "marriage" of two homosexuals, for he believes that to be a "contravention of all that is respected in Jewish life."[24]

In the same issue, another article describes the founding of a gay synagogue in Los Angeles and its subsequent affiliation with the Pacific Southwest Council of the Union of American Hebrew Congregations.[25] Rabbi Sanford Regins also relates his association

[19]Lamm, Norman, op. cit., p. 204.

[20]Op. cit., p. 205.

[21]Freehof, Solomon, Judaism and Homosexuality, CCAR Journal, Summer 1973.

[22]Op. cit., p. 32.

[23]Ibid.

[24]Ibid.

[25]Op. cit., pp. 33-40.

with the homosexual synagogue.[26] Another gay synagogue, Congregation Etz Chaim of Miami, has also applied for membership in the Union of American Hebrew Congregations.[27]

At the 1977 Convention of the Central Conference of American Rabbis, a resolution was introduced defending the rights of homosexuals. The following is a text of that resolution:

> "Whereas the UAHC has consistently supported civil rights and civil liberties for all persons, and,
>
> Whereas the Constitution guarantees civil rights to all individuals,
>
> Be It Therefore Resolved that homosexual persons are entitled to equal protection under the law. We oppose discrimination against homosexuals in areas of opportunity, including employment and housing. We call upon our society to see that such protection is provided in actuality.
>
> Be It Further Resolved that we affirm our belief that private sexual acts between consenting adults are not the proper province of government and law enforcement agencies.
>
> Be It Further Resolved that we urge congregations to conduct appropriate educational programming for youth and adults so as to provide greater understanding of the relation of Jewish values to the range of human sexuality."[28]

Rabbis in the Conservative Movement have also expressed themselves clearly on this subject. Rabbi David M. Feldman, who has written extensively about every phase of Jewish sexual attitudes made a definitive statement which appeared in Sh'ma magazine. He not

[26] Op. cit., pp. 41-49.

[27] Jewish Post and Opinion, March 28, 1978.

[28] The Jewish Post, February 10, 1978.

only presents the traditional material but introduces one existing responsum written by Rabbi A.I.Kuk in 1912. In the case of a man who was a shochet (ritual slaughterer) who was suspected of being involved in homosexual act, Rabbi Kuk rules "that the shochet can be returned to his post simply because the evidence against him was heresay. Morerover the man may have already repented."[29] Like Rabbis Solomon Freehof and Norman Lamm, Feldman concludes: "Judaism does declare homosexual indulgence a sin ... Having said so, we can temper our judgment of the act with compassion for the actor ... the prohibition is absolute ... it is akin to Onanism, and as such is repugnant to the Halachic tradition."[30] Feldman differentiates between homosexuality, homosexuals and homosexual fantasies and cites the various Halachic principles guiding these various principles. The same issue of Sh'ma contains an article "To Be A Jew and A Homosexual" to which the reader is referred. Asher Bar-Zev similarly writes emphasizing the abominable aspects of homosexuality, but with the feeling that homosexuals should not be penalized: "... it is clear that whether we think of homosexual behavior merely as a personal preference or as a pathological state, in either case it can be accepted as licit behavior within Jewish tradition."[31]

[29] Feldman, David, Homosexuality and The Halacha, Sh'ma, (May 19, 1972).

[30] Op. cit., pp. 100-102.

[31] Bar-Zev, Asher, Homosexuality and The Jewish Tradition, Reconstructionist, May 1976.

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Making headlines in the American Jewish Press was the article by Barry Dov Schwartz in which he defended the existence of gay synagogues.[32] Schwartz begins his article with an historical review - Pagan, Jewish, Christian - followed by a detailed Halachic examination of the topic. He urged the acceptance of homosexuals " as human beings without their homosexuality being sanctioned or condemned."[33] He emphasized that accepting is not tantamount "to condoning or encouraging homosexuals."[34] In accepting homosexuals openly we need not sacrifice our traditional standards and the Jewish ideal of heterosexuality. Because homosexuals have traditionally felt unwelcomed in existing religious institutions, they have formed their own synagogues which "perform a vital religious function at the present time."[35] Schwartz concluded with the plea that Jewish religious and communal agencies be more concerned and receptive to the problems of homosexuals. "Homosexual men and women need support ... with our help they can enter a House of God where they can find understanding, sympathetic rabbinic guidance and spiritual and emotional support from the congregation of Israel."[36] The following issue of the United Synagogue Review (Fall 1977) contains letters to the editor which range from

[32] Schwartz, Barry Dov, Judaism and Homosexuality, United Synagogue Review, Summer 1977.

[33] Ibid.

[34] Ibid.

[35] Ibid.

[36] Ibid.

from supportive to abusive of Rabbi Schwartz' point of view. Unprinted letters which the author received are even more extreme than those appearing in the magazine.

In response to query posed to the Rabbinical Assembly Committee On Jewish Law and Standards: "Can a gay synagogue be accepted into membership by the United Synagogue", the law committee, under the chairmanship of Professor Seymour Siegel, responded: "No. Separate synagogues should not be established."[37] Addressing himself to this issue, Rabbi Schwartz addressed the 78th Rabbinical Assembly Convention, April 1978.

> "Separate gay synagogues have been formed precisely because the homosexual has not been comfortable in existing religious institutions. We should strive to remedy this situation and thus make gay synagogues absolete. Until that time, if any gay Jew is striving for happiness and trying to integrate his entire life with a love of Judaism, then I personally feel that compassion and logic dictate that we should encourage Jewish homosexuals to maintain their religious tie - even if it unfortunately means separately, in their own synagogues...
>
> "Homosexuals should not be denied housing and employment because of their homosexuality...
>
> "We need not subscribe to the new morality, the so-called 'great orgy' to the 20th century.
>
> We need not yield to the madness that seizes society at many times and in many forms. We need not acquiesce to the standards of the age of nihilism and we need not mimic Christian denominations who have taken a totally liberal point of view.

37 Minutes of Rabbinical Assembly Committee On Jewish Law and Standards, May 27, 1976.

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> "What we can do is assist the committed Jew who happens to be a constitutionally confirmed homosexual to continue his relationship with Judaism."[38]

Perhaps the most liberal point of view ever expressed was by Rabbi Hershel J. Matt, who suggested that homosexuals as rabbis be accepted. As for the Jewish community, it has an obligation, Rabbi Matt says, to:

> "... demonstrate such feelings of compassion by willingly associating with homosexuals and engaging in acts of kindness and friendship - so that the particular individuals we meet will not feel grudgingly tolerated but will see that they are included within the circle of our love.
>
> "Even the role of rabbi should be open to a homosexual if he or she honestly holds the conviction - and would conscientiously seek to convey it to others - that, in spite of his or her homosexuality, the Jewish ideal for man and woman is heterosexuality."[39]

One of the most prominent members of the Rabbinical Assembly Rabbi Robert Gordis, has a chapter on homosexuality in his new book.[40] Like those who wrote on this topic before him, he too, feels that homosexuality is not normal but should be de-criminalized:

> "Homosexuality is an abnormality, an illness which, like any other, varies in intensity with different individuals. Until more efficacious means are discovered for dealing with their problem, homosexuals deserve the same inalienable

[38] Quoted in Jewish Week/American Examiner, April 9, 1978.

[39] Matt, Hershel J., Sin, Crime, Sickness or Alternative Life Style?: A Jewish Approach to Homosexuality, reprint from Judaism: A Quarterly Journal of Jewish Life and Thought, Vol. 27, No.1, Winter issue 1978.

[40] Gordis, Robert, Love and Sex: A Modern Jewish Perspective, Farrar, Straus & Giroux, (N.Y.; 1978), chapter 10.

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rights as do all their fellow human beings - freedom from harassment and discrimination before the law and in society.

"There can be no question that homosexuals are entitled to more than justice before the law. It is not enough merely to remove the various kinds of legal disability and overt hostility to which they have long been subjected. Whatever evaluation is placed upon their condition, be it moral, medical, or psychological, they are human beings, our brothers and sisters, who deserve compassion and love from their fellow men and, above all, from their brothers in kinship and in faith."[41]

[41] Op. cit., p. 160.

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CHAPTER XII

The gay Jewish community has also come out of the perverbial closet. There are scores of gay synagogues throughout the United States, Canada and Israel. There are gay "rabbis" who have remained anonymous and the reader is referred to the appendix.[1] An interview with a gay rabbi appeared in Gaysweek.[2] The introduction of the article offers the following synopsis:

> "David Rothenberg has met and talked with several gay rabbis. They range in age from late 20s to mid 60s. Some are single and as many are married. They represent reformed, conservative and orthodox Jewry. They share one common feeling as gay rabbis: they perceive that their professional contribution would be terminated if they were to come out. Rothenberg learned from the gay rabbis that they meet at various conferences and attempt to sensitize their brethren. One of the rabbis agreed to a question and answer interview with the guarantee that he remain anonymous. This religious leader has his own congregation, which is located in an area outside a large Eastern City."[3]

Some of the questions asked were:

- What kind of pressures do you feel as a rabbi who is gay?
- Is it possible for a rabbi with a congregation to come out?
- Do you know of any rabbis who have come out?
- Do you find any support within the Jewish community?
- As a closeted, mainstream rabbi, how do you feel about gay synogogues?

[1] Jewish Post & Opinion, Feb. 10, 1978; March 3, 1978.

[2] October 24, 1977.

[3] Ibid.

- Is being gay difficult for you to endure personally?

- Are you actually considering coming out?[4]

Letters to the editor by gay Jews appear frequently in American Jewish journals.[5] The oldest gay synagogue in this country is Beth Chayim Chadashim in Los Angeles, California, which was founded in 1971. The most active gay synagogue is Congregation Beth Simhat Torah in Greenwich Village, New York, founded in 1973. One can ascertain an overview of its program and philosophy by reading its monthly bulletin, Gay Synagogue News. It is apparent that the synagogue is a traditional one, and there are members who have a deep familiarity with Jewish law and customs. There is a great feeling toward Israel, and there are annual appeals for U.J.A. and Israel Tree.[6] There is a gay grove and a plaque honoring Congregation Beth Simhat Torah stands in the American Bi-Centennial National Park in Israel with the words: "In honor of all the gay men and women who worked and fought to create and maintain a Jewish homeland in Eretz Israel."[7] The synagogue sponsors weekly Ongei-Shabbat and in June 1976, a Bar Mitzvah was celebrated. There was also a wedding I quote in full the article describing this event:

[4] Ibid.

[5] See expecially the Jewish Floridian, the local Jewish Weekly in the issues relating to the Miami homosexual bill in the Summer of 1977; Jewish Press, Jan. 5, 1979.

[6] Gay Synagogue News, October 1976.

[7] Op. cit., January 1978.

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> "Under the velvet canopy the rebbe presided, as the two chasonim, both dressed in light tan suits, with matching brown ties, exchanged vows of love in the presence of their closest friends. The several male attendants wore light blue turtleneck sweaters and hand-knitted blue and white yarmulkes. The ceremony was concluded with the mutual breaking of wine glasses as those who had gathered together burst into song - Siman Tov and Mazal Tov. Dancing and salads were enjoyed by all. The couple will continue to reside in their Brooklyn apartment.[8]

A highlight for gay Jews is its international conference. In 1977, 201 participants including 83 members of the New York gay synagogue, 73 members of 10 other gay Jewish groups in the United States, Canada and Israel, and 52 nonaffiliated people from 14 cities in the United States and Canada were represented:[9]

> "For many out-of-towners, the services were the most moving and instructive part of the conference. One member of the Miami synagogue, Etz Chayyim, wrote in a letter to the synagogue, 'For years I have been praying each day, but never have I felt such a oneness with so many people and with God.'
>
> "Of course, given the variety of the participants, not everyone could respond to our style of workship with the same enthusiam. But everyone was touched in some spiritual way, and by the timewe sang our last farewell song, swaying arm-in-arm, there was scarcely a dry eye in the house.
>
> The workshops, covering a wide variety of topics of gay, Jewish, and gay Jewish interest, were mostly successful, with an exchange of ideas and experiences on a consistently serious and enthusiastic level.

[8] Op. cit., December 1976.

[9] Op. cit., June 1977.

> "Among the workshops that led to post-conference followup were the ones on Aliyah ..., Social Action Projects ..., and Parshe of the Week. A compilation of the 'Hidden Treasures column which appears in msot issues of this newsletter, discussing the weekly Torah readings, will be mailed to participants in that last named workshop. Copies will be available to others who are interested in learning relevant ways of explaining and interpreting the Torah."[10]

It is hoped that a future international conference will soon take place in Israel. Ironically, the gay organization, headquartered in Tel Aviv, is called the Agudah. There is also a gay beach (Hof Hanachim) in Tel Aviv.[11] On the subject of names, the gay Jewish group in Montreal also has a fascinating one. It is known as Naches.[12] In each bulletin, there is a review of all the activities from Boston to Chicago, to Texas, to Philadelphia, Toronto, Washington, Minneapolis, New Jersey, Iowa, Paris, Austrailia, San Francisco. There is no doubt that at least to this writer that those involved in the gay synagogue in New York have great Jewish pride, and a desperate need to be associated with the Jewish community. Whether the Jewish community will help them meet their needs, remains to be seen.

[10] Ibid.

[11] Op. cit., February 1977.

[12] Op. cit., January 1978.

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APPENDIX

March 4, 1974

Dr. Bruce Voeller
Executive Director
The National Gay Task Force
Suite 903, 80 Fifth Avenue
New York, New York 10011

Dear Dr. Voeller:

The following resolution was adopted as AFT policy by the AFT Executive Council in 1970:

"Discrimination Against Homosexuals Denounced"

"Whereas, professional people insist that they be judged on the basis of professional and not personal criteria; and

Whereas, it is the responsibility of trade unions to provide job protection from all forms of discrimination that is not based on performance such as race, color, sex, religion, age, or ethnic origin; be it

Whereas, that the American Federation of Teachers protests any personnel actions taken against any teacher merely because he or she practices homosexual behavior in private life."

Yours very truly,

David Selden
President

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North American Jewish Students' Network
36 West 37th Street, New York, N.Y. 10018

November 7, 1974

Dr. Bruce Voeller
National Gay Task Force
80 Fifth Avenue
New York, New York

Dear Dr. Voeller:

In April 1974, the North American Jewish Students' Network sponsored a National Conference on Jewish Women and Men at the McAlpin Hotel in New York. Some 350 women and 100 men from all over the United States and Canada attended the conference whose theme was "Changing Sex Roles; Implications for the Future of Jewish Life."

The last act of the conference was a unamimous vote in support of the following resolution;

"Whereas Jewish male and female homosexuals who identify themselves as Jews have been historically persecuted by members of the Jewish community and,

Whereas gay men and women are openly discriminated against and excluded from participating within the framework of many Jewish institutions,

Therefore, let it be recognized that we, members of the National Conference on Jewish Women and Men urge;

1) that we recognize the historical persecution of homosexuals,

2) that the Jewish community in acknowledging and accepting its gay members, open its doors to their full participation,

3) that Gay Rights legislation before city, county and state legislatures be supported by the Jewish lay and religious bodies.

Sincerely yours,

Jon Schenker
Editor, Network

AMERICAN PSYCHOLOGICAL ASSOCIATION
1200 SEVENTEENTH STREET, N.W.
WASHINGTON, D.C. 20036
1/24/75

1. The American Pyschological Association supports the action taken on 15 December 1973 by the American Psychiatric Association removing homosexuality from the Assocation's official list of mental disorders. The American Psychological Assocation therefore adopts the following resolution:

   Homosexuality per se implies no impairment in judgment, stability, reliability, or general social or vocational capabilities;

   Further, the American Psychological Association urges all mental health professionals to take the lead in removing the stigma of mental illness that has long been associated with homosexual orientations.

2. Regarding discrimination against homosexuals, the American Psychological Association adopts the following resolution concerning their civil and legal rights:

   The American Psychological Association deplores all public and private discrimination in such areas as employment, housing, public accomodation, and licensing against those who engage in or have engaged in homosexual activities and declares that no burdern of proof of such judgment, capacity, or reliability shall be placed upon these individuals greater than that imposed on any other persons;

   Further, the American Psychological Association supports and urges the enactment of civil rights legislation at the local, state and federal level that would offer citizens who engage in acts of homosexuality the same protections now guaranteed to others on the basis of race, creed, color, etc.;

   Further, the American Psychological Association supports and urges the repeal of all discriminatory legislation singling our homosexual acts by consenting adults in private.

The Council also amended the Association's "Statements of Policy Regarding Equal Employemnt Opportunity" to include sexual orientation among the prohibited discriminations listed. APA's employment practices in its various professional placement programs and advertisements in all Association publications will comply with this policy.

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American Association for the Advancement of Science
1776 Massachusetts Avenue, NW, Washington, D.C. 20036

Resolution on
Discrimination Against Sexual Minorities

Whereas some American scientists are members of sexual minorities (homosexuals, transvestites, transsexuals, etc.), and

Whereas these persons may be valued members of their professions, capable of making great contributions to the progress of science and to the national welfare, and

Whereas there still exist many forms of discrimination against these scientists because of their sexual orientation, without regard to their professional qualifications, and

Whereas because of this discrimination some scientists are denied an opportunity to practice their professions and others are treated inequitably in terms of salary, promotion, or assigned duties, and

Whereas such discrimination constitutes a loss to science and an injustice to these individuals,

Therefore be it resolved that the American Association for the Advancement of Science deplores any form of discrimination on the basis of sexual behavior between consenting adults in private, and

Be it further resolved that the Board of Directors be requested to charge its Committee on Opportunities in Science to take due cognizance of this resolution in its work.

Adopted by the AAAS Council,
January 31, 1975

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AMERICAN PSYCHIATRIC ASSOCIATION
June 30, 1975

TO WHOM IT MAY CONCERN:

The American Psychiatric Association has gone on record as strongly advocating the limitation of all discrimination against homosexual men and women that is based solely on the fact that they are homosexual. In a resolution, passed on December 15, 1974, the Board of Trustees of the American Pyschiatric Association adopted the following resolution:

> Whereas homosexuality per se implies no impairment in judgment, stability, reliability, or general social or vocational capabilities, therefore, be it resolved that the American Psychiatric Association deplores all public and private discrimination against homosexuals in such areas as employment, housing, public accomodation, and licensing and declares that no burden of proof of such judgment, capacity, or reliability shall be placed on homosexuals greater than that imposed on any other persons. Further, the American Psychiatric Association supports and urges the enactment of civil rights legislation at the local, state, and federal level that would offer homosexual citizens the same protections now guaranteed to others on the basis of race, creed, color, etc. Further, the American Psychiatric Association supports and urges the repeal of all discriminatory legislation singling out homosexual acts by consenting adults in private.

In the reasoned juegment of most American psychiatrists today, homosexuality per se does not constitute any form of mental disorder and it is no longer listed as such in the current revision of the officail nomenclature of mental disorders prblished by the American Psychiatric Association. The Association believes firmly that these considerations apply to homosexual men and women in the armed forces no less than in all other walks of life. If individual homosexual women or men prove to be unsuited to military life by virture of specific actions that would apply equally to heterosexuals, those individuals should be separated from the service. As a class, however, there is no sound psychiatric basis for treating homosexual men and women any differently from other people in the armed services. In actuality innumerable gay men and women have served in the armed forces with distinction and have received honorable discharges. The fact that they were undetected as homosexuals merely indicates that their sex life, no less than that of heterosexuals, was a private matter, as indeed it should be.

Very truly yours,

Judd Marmor, M.D.
President

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Letters to the Editor

TO THE EDITOR

Rabbi Barry Dov Schwartz's analysis of a Jewish view of homosexuality and his position on what the Jewish community's attitude toward homosexuality should be was a breath of fresh air. The United Synagogue Review is to be commended for the courage it took to print it. This the the kind of open and realistic dealing with difficult, contemporary, socio-religious problems that the Conservative Movement needs.

To be receptive to and understanding of those who deviate from traditional norms, while not condoning or encouraging the deviation, is both humane and Jewish. We have been doing it for years in our congregations in regard to adulterers and other transgressors of Jewish teaching; why not for those whose behavior is not so much a breach of ethics as it is a psychosexual phenomenon over which they have little or no control and which is not inherently criminal? We should not permit our own unconscious, sexual prejudices to prevent us from dealing kindly with these fellow Jews who want and need to identify with the community. It is not much different from making room in our congregational family for singles, the elderly, and others who do not fit the standard "two-parent — one or more children" units of which most congregations are built.

Dr. Reuben R. Levine, Rabbi
Springfield, N.J.

TO THE EDITOR

Regarding the article written by Barry Dov Schwartz on homosexuality, the writer states that "separate gay synagogues have been formed precisely because the homosexual has not felt confortable in existing situation."

How can a homosexual feel comfortable in any synagogue, whether or not he is welcomed by the congregants, when every aspect of Jewish law and tradition is in direct conflict with his way of life? A gay person, or any person for that matter, does not have the right to take Judaism so lightly that he can uproot and replant it for his confort.

When a Jew comes to the synagogue to worship, he prays directly to God from within the confines of his private thoughts. God is his judge, not the rabbi or the congregants.

In my view, the gay synagogue waters down the basic God-given laws and adds yet another division to Judaism. Have we not bent our laws enough without this added dimension of what our ancestors ahd the foresight and wisdom to reject?

The question is— are you gay first and a Jew second or a Jew first who has to come to a synagogue to pray?

A concerned Jew and mother
Name withheld by request.

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TO THE EDITOR

Barry Dov Schwartz misses an important point in his excellent article on homosexuality in your Summer 1977 issue. As Rabbi Schwartz indicates, homosexuality was common among the cultures that surrounded the Israelites of the Biblical period. The prohibitions in Leviticus 18:22 and 20:13 probably were intended to keep Israel distinct in sexual practices from these other cultures, just as they were to remain distinct in diet (Leviticus 12 and ethical standards (Leviticus 19).

With this in mind, we can clarify even further an approach by Conservative Judaism to this problem. Our synagogues are dedicated to maintaining Jewish practice, in order to keep our people together and distinct. We do not expel congregants, however, who fail to conform to the highest standards of practice as derived from the Torah. On the contrary, we hope that through the synagogue, these people will be exposed to influences that will result in behavior that is "more Jewish."

It is obvious that synagogue membership will not cause homosexuals to "go straight." But we should strive to make our synagogues places that will offer warmth and guidance to all people, regardless of whether we agree with or approve of their sexual preferences.

Rabbi James R. Michaels
Whitestone, N.Y.

TO THE EDITOR

Rabbi Barry Dov Schwartz wrote an interesting article on homosexuality in relation to Judaism. His conclusions, however, are in direct opposition to his theological analysis.

He says, "no amount of reinterpretation and modern insight can alter the Jewish perspective that heterosexuality is the norm and that sexual love between man and man is a fundamental toevah. Toevah is not only an abomination, but something unnatural and undesirable as a life style."

Rabbi Schwartz then quotes Rabbi Feldman, that we should have compassion for the sinner, but not for the sin; for the homosexual, but not for homosexuality. It is precisely here that the problem reaches its crux.

Modern homosexuals demand acceptance of themselves as homosexuals and, therefore, acceptance of homosexuality as an alternative life style (gay pride).

Rabbi Schwartz says that accepting is not tantamount to condoning or encouraging. This kind of mushy thinking is the fundamental source of his error.

In accepting overt homosexuals, we are sacrificing our traditional Jewish standards of morality and heterosexuality. We are accepting a fundamental toevah.

Any Jew can join the congregation of a synagogue, provided he applies as a Jew and not as a homosexual. Judaism cannot give acceptance to the principle

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of sodomy any more than it did to Astarte.

For overt homosexuals to express their "complete devotion the the Jewish heritage" is a contradiction of terms.

Mortimer Burdman, M.D.
Manhasset, N.Y.

GAY RABBI GIVES HIS SIDE:
1 MILLION U.S. GAY JEWS
THE JEWISH POST - March 3, 1978

Editor, POST and OPINION:

For an unexplainable reason, the theme of the Feb. 10 edition of The Jewish Post and Opinion dealt with the hitherto anethematized topic of homosexuality. It is high time that this matter be given a fair and more concise hearing. A recent statistic (December 1977) indicates that currently there are more than 20 million male and female homosexuals in the United States. A more interesting statistic is that which comes from the National Union of Gay Synagogues. That statistic gives us the membership in the 12 gay synagogues now functioning throughout the country. But more important it provides us with a source of information of homosexuality in general and Jewish homosexuals in particular. According to the most recent estimate, there are almost one million Jewish homosexuals in the United States. (There are some four thousand known gays in Israel).

It was, of course, interesting to note the interview with the "rabbi" of the gay synagogue in New York. For all our desires to be liberated, most gays in positions of responsibility and public trust still want to be "in the closet". The leader of the gay congregation in New York is not an ordained rabbi. However, he is the son of a leading Orthodox rabbi and scholar, has a complete Yeshiva education, and was expelled from the Yeshiva in his second year because of his homosexual activities.

There are, to the very best of my personal knowledge, more than 20 gay rabbis presently holding pulpits in the country. These are all ordained men from the Reform and Conservative movements and 14 of them are located in New York and California. There were three of us in my graduating class at the Jewish Theological Seminary who were gay while we were at the Seminary and we met quite frequently in the home of a sympathetic member of the Seminary faculty to discuss our common situations.

Being gay in the pulpit does not present any problems vis a vis or effectiveness or our obligations to our respective congregations. There are alsways opportunities for fulfilling ourselves away from the congregations, vacations, etc. Of course, being single is the one major problem we seem to face, especially when concerned members of the congregation want to act as "shadchanim" on our behalf. But let it not be thought for one moment that rabbis who happen to be gay are less devoted, less dedicated, less involved with the affairs of the synagogue and the Jewish community.

On the contrary, involvement in our work is quite often a catharsis for other problems. I doubt that the Jewish Theological Seminary or the Hebrew Union College will reach the point where they will permit gay students to marticulate. Therefore, it becomes necessary for the gay student interested in the rabbinate to continue the masquerade. We did not ask to be born in this fashion. Neither do we wish man to put asunder what God has created. We live our lives quietly and hope to be of service to the afflicted of k'lal Yisrael.

NAME SUPPLIED BUT WITHHELD

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New York Times
May 20, 1979

HOMOSEXUAL JEWS FIND REBIRTH IN THEIR OWN NEW SYNAGOGUES

SAN FRANCISCO, May 19 — Every Friday night, about 75 members of Congregation Sha'ar Zahav here celebrate the Sabbath, the traditional Jewish day of rest. But their service, unlike those conducted by most Jews, includes a prayer that asks for rest "not only from breadwinning but also from the effort of appearing straight in a straight world."

The worshipers at Sha'ar Zahav are homosexuals, and theirs is one of 10 synagogues for homosexuals in the United States, not only in such traditional strongholds of the homosexual community as New York and Los Angeles, but also in Hawaii, Des Moines and North Miami Beach.

"Our members tend to be born-again Jews," Rabbi Allen B. Bennett of Sha'ar Zahav said in an interview. "After years of feeling that Judaism had rejected them, many gay Jews are coming home to their heritage, but to a redefinition of it."

Rabbi Bennett, a 32-year old native of Ohio who was ordained in 1974 at the Reform Hebrew Union College in Cincinnati, said that many Jews felt "driven away from Judaism" because homosexuality was called "an abomination" in the Torah, which instructs Jews to "be fruitful and multiply."

Broad Range of Convictions

Most Jews, the rabbi said, consciously reject some of the many traditional Jewish admonitions, and homosexual Jews reject the prohibition against homosexual lovemaking and the commandment to have children. Otherwise, he said, he encourages homosexual Jews to "be the best Jews they can be."

Rabbi Bennett said that members of Sha'ar Zahav, which means "golden gate," range from 19 to 70 years of age, from welfare recipients to a millionaire and in politics from an ultraconservative to a radical socialist. Seventy percent, he said, are men. He added that some members' non-Jewish lovers attended services regularly.

The Sha'ar Zahav observances resemble those of the liberal Reform branch of Judaism, except that neuter pronouns are used to refer to the deity, and some prayers have been added in remembrance of homosexual Jews, among them Harvey Milk, the San Francisco supervisor who was shot to death last fall.

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The rabbi said that Sha'ar Zahav was founded in 1977 by three men who, "like all Jews who start synagogues, were not satisfied with the others in the area." He said he joined several months after the congregation was established and became the paid, part-time rabbi last month.

Reactions of Heterosexuals

Rabbi Bennett said he knew of "many" rabbis who were homosexual but had not declared themselves. He added, however, that "considerable research" had persuaded him that he was "the only openly gay rabbi in the country" at present.

Mr. Bennett said that after hesitating for two years, heterosexual Bay area Jews were beginning to accept Sha'ar Zahav as part of the Jewish community.

He said that one measure of the congregations's emerging acceptance was its recent move into the San Francisco Jewish Community Center. It has had six other homes, including a Buddhist temple.

Rabbi Martin Ballanoff of Berkeley said that he felt "disappointed but resigned" to the establishment of Sha'ar Zahav. He wishes, he said in an interview, that homosexual Jews would join "normal" synagogues instead of founding their own.

Identification with Heritage

Rabbi David Kopstein, leader of the Reconstructionists Synagogue in Petaluma, north of San Francisco, said he favored homosexual congregations as a way of encouraging Jews who are homosexual to identify more closely with their heritage. The Reconstructionists' branch is considered "the political avant-garde of Judaism," he said in an interview.

In addition to those synagogues, Rabbi Bennett said there were such congregations in Boston, Philadelphia, Washington, Chicago and Minneapolis and in London, Paris, and Sydney, Australia.

He said that an internal problem for all such congregations has been tension between men and women members, citing problems in working together and saying that some lesbians had withdrawn from synagogues they considered to be dominated by men. This problem, the rabbi continued, is reflected as well in Christian homosexual congregations.

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